

**HOWARD COUNTY BOARD OF COMMISSIONERS MEETING DECEMBER 4, 2006**

The Howard County Board of Commissioners met in Regular Session on Monday, December 4, 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 Captain Napoleon Leal and conducted by President Bagwell.

**IN THE MATTER OF APPROVAL OF MINUTES:**

The minutes of the November 20<sup>th</sup> 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 ISSUES:**

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

1. **Encroachment Of Right-Of-Way:** Kokomo Municipal Airport has been directed to lengthen its runway, relocating the fence and guardrail. This would involve a 10 - 15 foot encroachment into the County's right-of-way located at 400 East 400 North. Mr. Cain introduced Mr. Eric Newkirk from Woolpert & Associates, representatives of the Airport, who also spoke to the runway expansion. Mr. Cain recommends the County approve the encroachment. A motion was made by Mr. Harbaugh to approve the encroachment of right-of-way located at 400 East 400 North. The motion was seconded by Mr. Raver and carried.
2. **School Bus Turn Around:** A request has been received from Eastern Howard School Corporation for a school bus turn around located at 13614 East 100 South, owned by Todd and Susan Thieke. The school will furnish the stone and the Highway Department will haul the stone to the stated location. Mr. Cain recommends acceptance of the turn around. A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to approve the School Bus Turn Around pending Mr. Cain's review.
3. **2007 Annual Materials Bid Recommendations:** Mr. Cain recommends that all the following bids be approved.

Item II, Various Grades of Asphalt, Emulsion & Tar:	Asphalt Materials Inc Mohr Construction Co. Inc.
Item III, Bituminous Coated Aggregate, etc.:	Mohr Construction Co. Inc.
Item IV, Stone:	Hanson Aggregates Midwest Martin-Marietta Materials Irving Materials Inc.
Item V, Equipment Rental:	Baker & Schultz
Item VI, Diesel Fuel:	North Central Co-op

A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to accept all bids as listed above.

4. **Quotes For Single-Axle Dump Truck:** Mr. Cain received quotes for a single-axle dump truck as listed

<u>Vendor</u>	<u>Total After Trade In</u>	<u>Trade In Amount</u>
Wiers International	\$56,165.00	\$200.00
Team Cruiser Conversion Co (Sterling)	\$55,825.00	\$850.00

Team Cruiser Conversion Co. (466 Engine International)	\$56,385.00	\$850.00
Team Cruiser Conversion Co. (530 Engine International)	\$60,695.00	\$850.00
Brick Yard International	\$59,614.19	\$ -0-

Mr. Cain recommends purchasing the Sterling from Team Cruiser Conversion Co. as the lowest responsible and responsive quote. A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to accept the quote from Team Cruiser Conversion Co. (Sterling), in the amount of \$55,825.00, as the lowest responsible and responsive quote.

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

Captain Napoleon Leal submitted the following issues for Commissioner information and approval:

1. **Current Jail Population:** There are presently three hundred forty four (344) inmates at the Criminal Justice Center, with forty seven (47) being women.
2. **Frozen Gas Pump Nozzle:** The nozzle of the gas pump located at the Criminal Justice Center was frozen over the weekend, prohibiting the pumping of gas into Department vehicles. That repair is being made.
3. **Indiana Sheriff's Association School:** Captain Leal reported that Sheriff Talbert and Major Rogers are attending the Indiana Sheriff's Association School this week.

**IN THE MATTER OF PLAN COMMISSION ISSUES:**

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

1. **12-CP-06:** One lot in Shepherd's Estate Subdivision located at 8979 West 300 West is approved on a motion made by Mr. Raver and seconded by Mr. Harbaugh.
2. **Pre-Disaster Mitigation Fund:** There is a possibility of a nationally funded Pre-Disaster Mitigation Fund to address situations before they become a problem. Mr. Boise is researching the issue.
3. **County Purchased Flooded Properties:** Mr. Boise is dialoguing with the Wildcat Foundation concerning clean up and maintenance of the Flood Mitigation properties purchased by the County. Part of the dialogue concerns the possibility of a County funded Phase I Study using FEMA approved remaining encumbered Mitigation Funds.
4. **Opening of Excavation Bids:** The bids for the excavation of property located at 4089 South 350 East were opened and presented as follows:

Feightner Excavation	\$8,630.00
Stephen's Bulldozing	\$6,474.00

A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to take the bids under advisement for review by Plan Commission Director Glen Boise and Attorney Larry Murrell.

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

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

1. **Anthem Open Enrollment:** Ms. McKillip reported that the Open Enrollment meetings held for employee Health Insurance went well. Employee appreciation was expressed for the 3% wage increase and maintaining the same rate and the same coverage.

2. **Commissioner Appointments:** Ms. McKillip distributed copies of the Commissioner Appointments List and the Howard County Department Appointees for 2007 for Commissioners' determination. The Board made the following appointments, and deferred action on all remaining appointments until the first meeting in January 2007.

**Howard County Convention & Visitors Commission:** A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to appoint Jennifer Rozzi for a two-year term (to replace Dorinda Davis).

A motion was made by Mr. Harbaugh, seconded by Mr. Raver and carried to appoint Kim LaFollette for a two-year term (to replace Patricia Dzierla).

**Greentown Public Library:** Darwin Freeman was reappointed for a four-year term on a motion made by Mr. Raver and seconded by Mr. Harbaugh.

**Kokomo Howard County Emergency Management Advisory Council:** Steve Laudenschlager is reappointed to a one-year term on a motion made by Mr. Raver and seconded by Mr. Harbaugh.

**City of Firsts Automotive Heritage Museum Board:** A motion is made by Mr. Raver, seconded by Mr. Harbaugh and carried to reappoint Katherine (Kathy) Noel for a three year term.

**Howard County Plan Commissioner Membership:** Max Custer and Mike Imbler were reappointed to the Howard County Plan Commissioner Membership for four year terms on a motion made by Mr. Raver and seconded by Mr. Harbaugh.

**Howard County Board of Zoning Appeals:** A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to reappoint Mike Imbler for a four year term.

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

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

1. **Kinsey Computer Installation:** The new PC and software system installation for Kinsey Youth Center has been completed (**please refer to item two, page three of the Regular Meeting minutes dated November 20, 2006**).
2. **Video Arraignment Replacement:** The video conferencing system from Superior Court III to the Criminal Justice Courtroom has been replaced. The complete cost of the project is \$10,500.00, \$1,500.00 under the estimated cost of \$12,000.00. Mr. Tribby believes he will have enough funds to purchase a separate video unit and cart, enabling the system to be used in any of the Courts to be able to connect to the State Department of Corrections for arraignment purposes. All arraignment is recorded (audio only). A motion was made by Mr. Harbaugh, seconded by Mr. Raver and carried to proceed with the purchase of an additional Video Arraignment traveling system.

#### **IN THE MATTER OF THE NEXTEL REBANDING PROJECT:**

Mr. Anthony Johnson from Integrity Communications and Electronics presented the following Rebanding Project issues for Board information and approval:

1. **Incumbent Acknowledgement and Labor Rates Document:** Mr. Johnson submitted the Incumbent Acknowledgement and Labor Rates document for Commissioner's signature. This form confirms that the work shown on the form has been completed. A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to approve the Incumbent Acknowledgement and Labor Rates document and authorize the President to sign on behalf of the Board of Commissioners.

2. **Rebanding Frequencies Analysis:** The Rebanding Frequencies Analysis is almost completed (*please refer to page one, item three of the Regular Meeting minutes dated November 6, 2006*). The target date is December 15<sup>th</sup>.
3. **Keller & Heckman Invoice:** Mr. Johnson submitted an invoice from Keller & Heckman in Washington D.C., for services rendered in the amount of \$175.00, on behalf of Howard County for the rebanding project. A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to approve the invoice and direct Mr. Murrell to forward the invoice to Nextel for payment.
4. **Quotes For The New Communications Tower:** On behalf of the Board of Commissioners, President Bagwell obtained quotes for the purchase and erection of a new Communications Tower as follows:

Sabre Communications	\$67,222.00
Nelo & Customer Tower	\$68,615.10
Valmont/Piro & Miller Building	\$74,750.00

Because public safety concerns require immediate action on this project, Commissioner Bagwell proceeded under IC 5-22-10-4 to determine that the quote of Sabre Communications is the lowest responsible and responsive quote, and to execute the proposal on behalf of the Board of Commissioners. Having reviewed the quotes submitted and the Sabre proposal, the Board ratified and confirmed the actions taken by President Bagwell to determine the lowest and most responsive quote and to execute the Sabre Proposal dated November 20, 2006 (No. 07-4789-MEG-R1), on a motion made by Mr. Harbaugh and seconded by Mr. Raver.

**IN THE MATTER OF THE VITAL RECORDS PHASE FOUR PROPOSAL:**

Health Department Director Kristine Conyers submitted the Phase 4 Vital Records Proposal from Global Systems, Inc. for Data Correction, Extraction and Integration From Lotus Notes. The cost of the agreement is \$31,360.00. A motion was made by Mr. Harbaugh, seconded by Mr. Raver and carried to approve the Proposal with Global Systems Inc. for Vital Records in the amount of \$31,360.00 and to authorize the President to sign on behalf of the Board of Commissioners.

**IN THE MATTER OF HOWARD HAVEN OUTSTANDING BALANCES:**

Tom Tolen, Howard Haven Superintendent submitted a list of twelve (12) outstanding balances of residents at Howard Haven, which list is maintained in the Auditor's file. Mr. Tolen explained that much of the outstanding balances were a result of people being admitted into the home before their ARCH payments were received. That practice has since been rectified. Every legal effort has been made to contact the resident and recoup the balances. On a motion made by Mr. Raver and seconded by Mr. Harbaugh, the unpaid balances have been declared uncollectible and the debt will be removed from the books.

**IN THE MATTER OF THE HUMANE SOCIETY 2007 CONTRACT:**

Attorney Larry Murrell submitted the 2007 Humane Society Contract with Howard County for animal control and shelter services for Howard County. The budgeted amount of the contract is \$164,806.00. On a motion made by Mr. Raver and seconded by Mr. Harbaugh the 2007 Humane Society Contract is approved.

**IN THE MATTER OF CLAIMS AND REPORTS:**

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

1. **Commissioner Salary Claims:** Salary, hourly and overtime claims payable December 8 and 15, 2006, in the amount of \$296,420.05 were approved on a motion made by Mr. Raver and seconded by Mr. Harbaugh.
2. **Commissioner Operating Claims:** Operating claims payable December 4, 2006, in the amount of \$505,791.39 were approved as advertised on a motion made by Mr. Raver and seconded by Mr. Harbaugh.

**IN THE MATTER COUNTY ATTORNEY ISSUES:**

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

1. **Certification Of Completion:** A Certificate of Completion was submitted concerning the completion of the Honey Creek Township Grant. Grant Coordinator Tina Henderson has reviewed the document. A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to approve the Certificate of Project Completion and authorize the President to sign on behalf of the Board of Commissioners.
2. **Invoice From Assistant County Attorney:** Assistant County Attorney Brian Oaks submitted an invoice in the amount of \$2,234.83, for litigation services at his contract rate of \$110.00 per hour. The legal services were in connection with the Green Tree Appeal. A motion was made by Mr. Harbaugh, seconded by Mr. Raver and carried to approve the invoice from Attorney Brian Oaks as submitted.
3. **Legal Issues Between New London Conservancy District And The Town Of Russiaville:** Barnes and Thornburg is assisting Russiaville Town Attorney Corbin King and Howard County Attorney Larry Murrell on legal issues concerning the New London Conservancy District and the transfer of said Conservancy District to the Town of Russiaville. The County has been requested to share these Barnes & Thornburg attorneys' fees. Mr. Murrell would suggest that a limit of \$10,000.00 (\$5,000.00 County share) be approved by the Board. A motion was made by Mr. Harbaugh, seconded by Mr. Raver and carried to approve an agreement with The Town of Russiaville to pay half of the Barnes & Thornburg attorney's fees, not to exceed \$5,000.00.
4. **Final Draw For The Administration Center HVAC Project:** Benchmark Mechanical has submitted their final draw concerning the HVAC Project. Mr. Murrell advised Mr. Fross that Benchmark needs to submit the documents required in the contract before final payment.
5. **Resolution No. 2006-BCC-24:** A Resolution of the Howard County Board of Commissioners approving and amended salary contract with Sheriff Marshall Talbert. Resolution No. 2006-HCC-23 has already been approved by the County Council. Mr. Murrell reminded the Board that the Sheriff's salary has not been raised since 1996 and that this amendment reflects the 3% employee raise approved by the County Council for the year 2007. On a motion made by Mr. Raver and seconded by Mr. Harbaugh, Resolution No. 2006-BCC-24 was approved.

**IN THE MATTER OF TOWNSHIP ASSISTANCE APPEALS:**

1. **Center Township:** A motion was made by Appeals Officer Paul Raver to uphold the denial of assistance to Walter Henderson. The motion was seconded by Mr. Harbaugh and carried.
2. **Center Township:** Mr. Robert Lee Hanson was not in attendance for his appeal. A motion was made by Mr. Raver to uphold the denial of assistance. The motion was seconded by Mr. Harbaugh and carried.
3. **Center Township:** Because of assistance guideline and the fact that her father is not available at this time, Mr. Raver made a motion to uphold the denial of assistance for Stormie Brook Sappenfield. Center Township has agreed to help her after the first of the year. Mr. Harbaugh seconded the motion to uphold the denial and the motion carried.

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

**HOWARD COUNTY BOARD OF COMMISSIONERS:**

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BRADLEY J. BAGWELL, PRESIDENT

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PAUL J. RAVER, VICE PRESIDENT

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JOHN B. HARBAUGH, MEMBER

ATTEST:

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ANN WELLS, AUDITOR

Commissioner Meeting Minutes December 4, 2006