

## HOWARD COUNTY BOARD OF COMMISSIONERS MEETING MAY 21, 2007

The Howard County Board of Commissioners met in Regular Session on Monday, May 7, 2007, at 8:30 a.m. in Hearing Room No. 338 of the Howard County Administration Center. Those in attendance included Board of Commissioner President Paul J. Raver, Vice President Bradley J. Bagwell, and Member David A. Trine. 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 Raver.

### IN THE MATTER OF THE APPROVAL OF MINUTES:

The minutes of the May 7, 2007 meeting, having been previously submitted and reviewed, were approved on a motion made by Mr. Trine and seconded by Mr. Bagwell.

### IN THE MATTER OF HIGHWAY DEPARTMENT ISSUES:

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

1. **Paving Project:** Mr. Cain informed the Board that the paving project is moving along well; the Chip and Seal project will begin this summer.
2. **Road Problems:** Mr. Cain received information of several areas of concern. The first is a complaint received by the Auditor's Office concerning uneven pavement where Alto Road and County Road 350 West join. The second complaint concerns the railroad crossing located on 500 East, by the grain elevator. The Sheriff's department received complaints of cars bottoming out, as well as car crashes, at that site; it's considered the worst crossing in Howard County. Mr. Cain reminded the Board that the crossing belongs to the Railroad and they are responsible for the maintenance. There is nothing the County can do to remedy that double crossing, other than post Rough Crossing and Speed Limit signs. Mr. Cain will check the location to insure the signs are properly placed.

### IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

Sheriff Marshall Talbert submitted the following issues for Board information and approval:

1. **Annual Inspection Report:** Sheriff Talbert submitted the Annual Inspection Report for Board information. It was an excellent report and he called the Board's attention to comment #9, as follows: "All of the required documentation was presented for review, and was very well organized. Jail staff were very cooperative, and open to recommendations and suggestions. The jail was very well maintained". Captain Harold Vincent stepped to the podium and explained to the Board that in his thirteen years as Jail Commander, this was the most extensive and thorough inspection he recalls, lasting between three to four hours. The last page of the report lists recommendations that have been remedied, with the exception of the recommended eye-wash station in the laundry room, which will be installed on Tuesday. Capt. Vincent reported that Howard and Hamilton Counties are setting the bar concerning Criminal Justice Facilities and policies in Indiana. Capt. Vincent gave accolades to the Jail staff for their hard work and their efforts to prepare the facility for Inspection. Sheriff Talbert would like Attorney Murrell to forward this report to the County's Insurance carrier.
2. **Jail Population:** The current population is three hundred forty three (343) inmates, forty-three (43) being female inmates. Sheriff is concerned that the numbers are so high, going into the peak summer months. He believes the addition of Superior Court IV was needed, but is noticing the high volume of civil cases that take the Court's time away from Criminal cases. Sheriff Talbert acknowledges that further action needs to be taken concerning the overpopulated Criminal Justice Center. Commissioner Bagwell directed Sheriff Talbert to contact the DLZ representative who did the Jail Study and have him on the agenda for the next Criminal Justice Coordinating Committee meeting.
3. **Sheriff's Employees Being Deployed To Iraq:** Sheriff Talbert reported that Deputy Mike Ogle has been activated and will be leaving, this week for a fourteen month deployment to Iraq. Officer Jared

Kirkpatrick has been activated for a fifteen month tour of Iraq, and also will be leaving this week. Mr. Ogle is the handler for Kanto, the newest K-9. Kanto has been taken back to Vohne Liche Kennels for care and training, until his new handler, Paul Cherry, is trained with Kanto. The process will cost \$4,000.00: Kanto will remain on the midnight shift. Other employee issues include a Corrections Officer with a broken arm and a Deputy in the process of a kidney transplant. Currently, a new recruit is at the Academy with another recruit scheduled for later in the summer. Sheriff Talbert is making sure all shifts are covered, using voluntary and mandatory overtime.

4. **Short Messaging Service Agreement:** Major Rogers presented a Service Agreement with Indiana Paging Network for the Department's pagers (*please refer to page one, item one, "In The Matter Of Sheriff Department Issues" of the Regular Meeting minutes dated May 7, 2007*). This is a three year contract in the amount of \$13,259.57 annually. As a supplement the "provisions" portion of the agreement, Mr. Murrell has prepared an addendum to the Service Agreement that has been signed by IPN. A motion was made by Mr. Bagwell to approve the Service Agreement and the Addendum, and authorize the President to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Trine and carried.

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

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

1. **Flood Mitigation:** The last property purchased with Flood Mitigation funds, located at 4089 South County Road 50 East, is now completely finished. Mr. Boise checked on the property and reported that the grass that was planted is coming up nicely.

The State Mitigation Board has informed Mr. Boise of other monies that could be available to help purchase the property located at 2700 Dellwood. The County match of funds for this project would be just under \$58,000.00. Mr. Boise will be exploring this possibility.

2. **Unsafe Building:** The property located at 300 South County Road 475 East, just west of State Road 19, has several issues that concern other agencies. Each agency will address their issue.

Commissioner Bagwell talked with Mr. Boise concerning a burned house in West Liberty located at 320 South County Road 1250 East. Mr. Boise's office has been in contact with the owners but nothing has been done. Mr. Boise will contact the Township Trustee with a request to mow the grass. Mr. Boise was directed to give the owners a few more weeks. If there is no response, then begin the Unsafe Building process.

3. **Darrough Chapel Sewer Concern:** The ad hoc committee reconvened last week with representatives from the Health Department. In a conversation with Jeff Rudolph, of the City Wastewater Utility, Mr. Boise learned that, concerning monthly rates, service to patrons on a well is at a fixed rate that is higher than for those patrons who use the City's water service. The Committee is exploring the possibility of a packaged deal to provide water service with sewer service. This would mean residents would have to pay for water service, but their sewer service would be at a lower rate. The fire hydrants that are installed would make the area more attractive to future buyers, improving property values and lowering insurance rates. Indiana-American Water Company is also exploring the cost benefits from their vantage point. Mr. John Caton will be at the June 4<sup>th</sup> Commissioner meeting, to give the Board an update on Taylor Regional Sewer District and Darrough Chapel.

#### **IN THE MATTER OF MAINTENANCE DEPARTMENT ISSUES:**

Buildings and Grounds Supervisor Art Fross submitted the following issues for Board information and approval:

1. **New Tower Generator:** During the fire at the Emergency Management Building, last week, the transmission line on the south side of the building had to be cut. The tower's generator kicked in within three to five seconds. There was no loss of transmission to any emergency personnel for the three hours the generator was in use.

2. **Administration Center Roof Bid:** Mr. Fross submitted a Bid Package for the roofing project of the Administration Center. A motion was made by Mr. Bagwell to approve the advertising of the Bid Package for the roofing project, to be received on or before 4:00 p.m. June 15, 2007, and opened at 9:00 a.m. on Monday, June 18, 2007. The motion was seconded by Mr. Trine and carried. Copies of the bid packages will be available in the Auditor's Office.
3. **Administration Center Issues:** Mr. Fross reported that the east alley side door has been replaced. The broken compressor has been removed from the roof of the Center, and the replacement compressor will be fired up the end of this week.
4. **Electrical Wiring At Courthouse:** The Courthouse lawn has been marked for the City's electrical wiring (*please refer to page five, item five of the Regular Meeting minutes dated May 7, 2007, and page four, item five, "In The Matter Of Maintenance Department Issues", dated April 16, 2007*). The City is moving forward, and this project is on the agenda for the next Board of Works meeting.
5. **Drain Problem At The New Tower Location:** Kokomo Academy was experiencing drainage problems caused by the new tower. Mr. Cain is working on that problem and will have it completed today. The fencing will be installed soon after it is received.
6. **Government Center Heating:** A small pin needed for the pump and grinder of the heating system has been ordered. Once installed, the contractor will be able to finish the project.
7. **Contract For Asphalt Sealing:** Mr. Fross submitted a Contract from Jansen's Asphalt & Sealing, for the parking lot on the corner of Mulberry and Main Streets. Mr. Murrell will review the contract. Mr. Fross stated that the parking lot of the Criminal Justice Center also needs work done.
8. **Pending Contracts:** We are still awaiting word from representative Lorene Argyris, from A T & T, concerning the completion of the contract for the Courthouse Centrex Update. This project has been in progress for a year.

The Service Agreement with McAllister Machinery, for the generator at the New Tower site, is also pending. Mr. Murrell is awaiting suggested changes to the agreement. Mr. Fross will contact the company to expedite the agreement.

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

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

1. **Intern From Indiana University Kokomo:** Ms. McKillip introduced Asmait (Mia) Gebreyohanes to the Board of Commissioners. Ms. Gebreyohanes is beginning an internship in the Personnel Office, starting today. She will be a senior at IUK in the fall and graduate in 2008.
2. **Howard Regional Board Appointments:** Two of the appointments to Howard Regional Health Systems Board of Trustees will expire June 30, 2007. Mr. Bagwell will contact Dr. Lynette Hazelbaker and Mr. Raver will contact Mr. Thomas Hilligoss as to their willingness to be reappointed.
3. **Tolen Resignation:** Howard Haven Superintendent Tom Tolen has tendered his resignation, effective May 25, 2007. The Personnel Office has received sixteen applications, and the interviewing process with Council President Richard Miller, Commissioner Dave Trine, Director Wanda McKillip and Auditor Ann Wells, will begin today. Final recommendations will be made at the June 4<sup>th</sup> Commissioner Meeting. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to accept the resignation of Mr. Tom Tolen, effective May 25, 2007. This position is a Commissioner appointed position whose term ends February 28, 2008.

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

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

1. **Sheriff Cell Phones:** Because of the decrease in funds for the Sheriff's Commissary, the Sheriff Cell phones and pagers are going to be paid from the Commissioners Communications Account (001-023-03216-00). Mr. Tribby has reviewed the statistics from that account and recommends that an Additional Appropriations in the amount of \$30,000.00 be requested to cover the payments of the cell phones and pagers. A motion was made by Mr. Bagwell to request an Additional Appropriation of \$30,000.00 to account 001-023-03216-00, Communications, to present at the June Council Meeting. The motion was seconded by Mr. Trine and carried.
2. **Extending Cell Phone Coverage To The Board Of Commissioners' And Council Meeting Rooms And Offices:** The Council and Commissioner rooms and offices in the Administration Center are not receiving sufficient coverage. They experience many dropped calls and inconsistent coverage. There is technology available that allows the signal to be picked up from the exterior of the building, and retransmitted on the inside of the facility. This has been done successfully at the Emergency Management office in the basement of the Government Center. Mr. Tribby will order the equipment and his department will handle the installation. The Board agreed with this plan by consensus.
3. **Videotaping County Technological Equipment:** Mr. Tribby is currently inspecting the equipment taken from the burned Emergency Management Building, and assessing damage and replacement costs, to be submitted to the Insurance Company. The process has motivated him to prepare to do a video inventory of all County Government facilities' technological equipment. When completed, the set of DVD's will be stored in the County's Bank lock box.
4. **Protective Orders Project:** At the April 2<sup>nd</sup> meeting, Mr. Tribby informed the Board of the mandate from the state to become a Beta sit for the Protective Orders Project (*please refer to page six, item three of the Regular Meeting minutes dated April 2, 2007*). Mr. Tribby and Judge Menges met with a representative of J-Tech to present their quote for the new work stations and printers. They hope to have more information concerning the work stations by the end of the month. Another project that could receive State funding would be electronic ticket submission equipment for patrol vehicles. Sheriff Talbert has submitted an application.

**IN THE MATTER OF A SALARY INCREASE FOR COUNTY HEALTH OFFICER:**

Dr. Scherschel, a member of the County's Board of Health, submitted a request to the Board of Commissioners to raise the salary of the Health Officer from \$15,507.00 to \$24,000.00. Thirty years ago, the salary of the Health Officer was \$10,000.00. Because of recent Disaster Preparedness Issues and functions, The Board of Health would like the Health Officer to take a more active role. Director Kris Conyers would like the Health Officer to spend three hours weekly, in the Health Office, as well as being a member of several different committees. The Health Board has a candidate in mind and is in the process of negotiating the salary. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to support the request of the Board of Health to raise the current stipend for the Health Officer from 15,507.00 to \$24,000.00, and to take the request to the County Council.

**IN THE MATTER OF KINSEY YOUTH CENTER ISSUES:**

Kinsey Youth Center Director Jan Weaver submitted the following issues for Board information and approval:

1. **Electronic Fingerprinting:** The State's Department of Child Services is requiring all state licensed child caring facilities to have their entire staff fingerprinted and names run through FBI checks, looking for certain types of offenses, and confirming identity. The State has contracted with a company called Pride Rock Holding Co. to do the electronic fingerprinting. Kinsey has been fingerprinting and doing background checks on new hires through the Sheriff's Department at a cost of \$39.00 each. However, background checks through the FBI may be more extensive than what is done on the local level. The service through Pride Rock Holding Co. is \$59.00 per person and the company will send representatives to Kinsey to do the fingerprinting (facilities of 50 people or more). Kinsey hires twenty five to thirty people annually and will need \$6,000.00 in 03000.00, Other Services and Charges line item. They will be able to do a transfer from another 3000 account and then submit an Additional Appropriation from the Council to cover the amount of the transfer. By consensus, the Board agreed with the action.

2. **Commissary Checking Account:** Kinsey is experiencing a similar loss of revenue in their Commissary account, as is the Criminal Justice Center (about \$1,200.00 to \$1,500.00) (*please refer to page four, item one, "In The Matter Of Kinsey Youth Center Issues", of the Regular Meeting minutes dated March 19, 2007*). Currently their Commissary Fund is administered through the Auditor's Office as a line item in the Kinsey account. Ms. Weaver is asking that Kinsey be allowed to open its own checking account for the Commissary Fund. They would like to increase commissions and have items such as snacks, drinks and toiletries, available for purchase (there is a security concern in allowing parents or relatives to bring in toiletries and other items). They will also be installing soft drink and candy machines to help bring in commissions. Attorney Murrell reminded the Board that the Commissary Fund at the Sheriff's Department is set up per State statute. Mr. Murrell will determine if there is a similar statute for the Kinsey Center.

#### **IN THE MATTER OF HOWARD HAVEN ISSUES:**

Howard Haven Superintendent Tom Tolen submitted the following issues for Commissioner information and approval:

1. **Application For Admission:** Mr. Tolen submitted an application for admission for Vickie L. Appleby. Ms. Appleby is 54 years old and would receive full ARCH support. Mr. Tolen reminded the Board that the ARCH process takes about six weeks. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the application for residence for Vickie Appleby with the usual ninety day probation period. Mr. Tolen informed the Board that there is one vacancy at the Home. An office that is not being used at this time could be used as a residence room, as well as a Superintendent's apartment on the second floor that could be turned into a dorm style residence. Mr. Tolen thanked the Board of Commissioners for hiring him and giving him the opportunity to work at the Home. He commented that it was a good experience for him, and he loved working with people and getting to know the residents at the Home; it changed his life.

President Raver commented that Mr. Tolen made the community aware of the existence of Howard Haven and its needs.

Mr. Tolen introduced Mr. Bob Croll, President of the Friends of Howard Haven.

2. **Handicapped Accessibility Project:** Mr. Croll reminded the Board that the Friends of Howard Haven is a Not For Profit organization that was formed 1 ½ years ago to assist the residents of the Home. Mr. Croll thanked Mr. Tolen for his care of the residents and the changes instituted. The County "...will be hard pressed to find someone that equals Tom...". He also thanked the Commissioners for providing the facility for Howard County. One of the objectives of the Friends of Howard Haven is to identify and correct issues concerning the safety and welfare of the residents, as well as visitors to the facility. One of the issues identified, is the need for handicapped accessibility to the building. About four months ago the Friends of Howard Haven were informed that a grant had been written and submitted to the Community Foundation, on behalf of Howard Haven. It had been turned down because the grant was not written to their specifications. They would have to wait a year to reapply. About a month later, Mr. Croll was informed by the Community Foundation Committee that Friends of Howard Haven could submit another grant. Member Natalie Raines wrote the grant for handicapped accessible doors, sidewalk repair and a canopy over the entrance. "Friends of Howard Haven" was awarded a \$10,000.00 grant from the Community Foundation for the first portion of the project, the handicapped accessible door. In learning that the County is embarking on a project to remove an unused water storage tank and repair the sidewalk, Mr. Croll would like to integrate the projects (*please refer to page five, item one, "In The Matter Of Commissioner Issues" of the Regular Meeting minutes dated April 16, 2007*). Pickering Excavating has been contacted concerning the removal of the water storage tank and is also the vendor contacted by Howard Haven, along with M & R Construction (Tim Maroney), to repair the sidewalk and prepare it for the canopy. Mr. Croll submitted estimates for the door and sidewalk repair. An estimate for the tank removal has not yet been submitted. President Raver reminded Mr. Croll that the County has funded several projects maintaining and improving the building and grounds, in the last five years. He appreciates the efforts of Friends of Howard Haven. Mr. Fross reminded those present that the driveway is higher than the sidewalk; a trough and drain would need to be installed at the time the sidewalk is repaired. At the conclusion of further discussion a motion was made by Mr. Bagwell to authorize the Maintenance Department to obtain an estimate for the water storage tank removal and sidewalk

replacement, then prepare an Additional Appropriation Request for Cumulative Capital Funds and submit it to the Auditor's Office by June 1<sup>st</sup> to take to the June Council Meeting. The motion was seconded by Mr. Trine and carried.

**IN THE MATTER OF THE SHOCAP GRANT FOR THE JUVENILE PROBATION DEPARTMENT AND COMMUNITY CORRECTIONS DEPARTMENT:**

Chief Juvenile Probation Officer Don Travis and Community Corrections Director Steve Maus presented the paperwork for their Department of Corrections SHOCAP Grant Agreements. The Juvenile grant is \$76,005.00 for the Drug Court, supplemental and prevention programs. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the SHOCAP Grant agreement for signature, in the amount of \$76,005.00.

Community Corrections Director Steve Maus informed the Board that the total grant amount for the Community Corrections department is \$317,844.00. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the Department of Corrections grant to the Community Corrections Department in the amount of \$317,844.00, for signature.

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

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

1. **Migrant Housing Grant Claim Voucher And Signature Authorization Forms:** On behalf of Grant Administrator Tina Mendenhall, Auditor Wells submitted May's claim voucher for the Migrant Housing Project, in the amount of \$42,336.55. Also submitted is an Authorized Signature Form for Payment of Claim Vouchers for the signatures of Paul J. Raver and Ann Wells. A motion was made by Mr. Trine to authorize the signatures of Paul Raver and Ann Wells, in lieu of Bradley Bagwell and Ann Wells, and the May claim voucher for the Migrant Housing Project. The motion was seconded by Mr. Bagwell and carried.
2. **Commissioner Salary Claims:** Salary, hourly and overtime claims payable May 25 and June 1, 2007, in the amount of \$313,019.77 each, were approved on a motion made by Mr. Trine and seconded by Mr. Bagwell.
3. **Commissioner Operating Claims:** Operating claims payable May 21 2007, in the amount of \$979,011.43, were approved on a motion made by Mr. Trine and seconded by Mr. Bagwell.
4. **Treasurer's Report:** The monthly Treasurer's Report for the month ending April 30, 2007 was accepted on a motion made by Mr. Trine and seconded by Mr. Bagwell.

**IN THE MATTER OF LEGISLATIVE UPDATE:**

County Attorney Larry Murrell informed the Board of Commissioners that he has been invited to, and will attend, a training seminar with Sheriff Talbert, sponsored by the Sheriff's Association, concerning a Legislative Update on Friday, June 1, 2007.

**IN THE MATTER OF COMMISSIONERS' ISSUES:**

1. **Emergency Telephone System Fee:** The present Emergency Telephone System fee is \$0.56 per line per month. Mr. Bagwell reported that the maximum statutory fee Howard County could authorize is \$0.91. These funds are crucial to the E-911 operation. After much study, E-911 Coordinator Tony Ramsey recommends that the County raise its fee from \$0.56 per line to \$0.91 per line. Mr. Murrell recommends that the Board articulate justification for the increase so that when their recommendation is taken to the Council, the Board will be able to answer questions the Council has concerning the increase. At the conclusion of continued discussion, the Board, by consensus, will direct E-911 Coordinator Tony Ramsey to prepare a report justifying the need for the fee increase to \$0.91 and report to the Commissioners at the June 4<sup>th</sup> meeting.

2. **Workforce Development Meeting:** Mr. Bagwell reported that out of the fourteen counties in the region, only four people attended. Many counties in the new region boundaries are not used to attending quarterly meetings. They will work on increasing attendance for those meetings.
3. **New US31 Record Of Decision:** The US 31 Record of Decision has been approved by the Federal Highway Commission. The Coalition can now move ahead to right-of-way acquisitions and design work.
4. **Nextel Rebanding Project:** The Transition Administrator approved the Agreement budget of \$363,000.00, the cost to Nextel for re-banding Howard County.
5. **Weights And Measures Report:** The Weights and Measures Monthly Report for the month of April 15 to May 15, 2007 was accepted on a motion made by Mr. Trine and seconded by Mr. Bagwell.
6. **Chamber Of Commerce Meeting:** Mr. Raver reported that at last week's Chamber of Commerce Board meeting, President Rick Hamilton tendered his resignation.

There being no further business to come before the Board of Commissioners at this time, the meeting was adjourned at 11:25 a.m. on a motion made by Mr. Bagwell and seconded by Mr. Trine.

**HOWARD COUNTY BOARD OF COMMISSIONERS:**

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PAUL J. RAVER, PRESIDENT

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BRADLEY J. BAGWELL, VICE PRESIDENT

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DAVID A. TRINE, MEMBER

ATTEST:

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ANN WELLS, AUDITOR

Howard County Commissioner Meeting May 21, 2007