

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING MARCH 19, 2007

The Howard County Board of Commissioners met in Regular Session on Monday, March 29, 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 March 5, 2007 minutes, 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 Supervisor / Engineer Ted Cain reported to the Board that he had no issues to bring before them, at this time, but would be available to answer any questions the Commissioners might have. President Raver asked for Mr. Cain's opinion concerning Howard County being absent from the listing of counties designated to receive Federal funds because of being in a State Emergency. According to the news article, it was because Howard County did not receive above normal snowfall. Mr. Cain had not yet received this information. There have been occasions when the State has amended the listing. He will contact Emergency Management Director Larry Smith and follow up on this issue.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

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

1. **Commendations:** President Raver took the opportunity to commend Sheriff Talbert for being a "front page Sheriff". This is in reference to the newspaper article and picture that appeared in the Kokomo Tribune concerning the visits to elementary schools.
2. **Current Inmate Population:** The current population is three hundred twenty nine (329) inmates, forty-four (44) being women. Sheriff Talbert would like to respond to the newspaper editorial that claimed the County was not responding in "new and innovative ways" to the Jail population issues. Sheriff Talbert feels that, as a County and as a community, we are doing all we can to try to deal with the issue. If anyone in the County has "new and innovative ways to correct the problem", Sheriff Talbert would like to know about them. He feels we have exhausted other options; the only one left is expansion. He does not appreciate the insinuation that the Criminal Justice Center and Kinsey Youth Center are not doing all they can do to operate efficiently. "People don't seem to understand that you can't keep running the Jail and Kinsey Youth Center with the same amount of money year after year." He continued to list the items used by the Criminal Justice Center that are rising in costs.
3. **Patrol Car Bids:** The Invitation to Bid and bid information has been advertised for the new Sheriff Patrol vehicles. Bid packages have been distributed to Brad Howell Ford, Bloomington Ford and Kokomo Auto World and additional bid packages are available at the Auditor's Office (*please refer to page one, item three, "In The Matter Of Sheriff Department Issues", of the Regular Meeting minutes dated March 5, 2007*).
4. **Additional Explosive Detecting K-9:** At the February 5th Commissioner Meeting, Sheriff Talbert informed the Board that he was looking for ways to fund a new Explosive Detection K-9 to replace the retired K-9, Uhele (*please refer to page two, item four of the Regular Meeting minutes dated February 5, 2007*). Sheriff Talbert has located a grant, in the amount of \$2,500.00 from "Dogs Against Drugs, Dogs Against Crime". He has submitted an application for a \$4,000.00 grant from the Department of Homeland Security. He has also had conversations with the Miami County Prosecutor and the Tipton City Police Chief concerning financial donations toward the purchase of an explosive detection K-9 in conjunction with a Mutual Aid Agreement, allowing them to utilize the use of the K-9 when needed. This K-9 could also be available to the Kokomo Police Department. The cost of the K-9 and handler will be \$11,000.00, including the training from the Vohne Liche Kennels in Denver, Indiana. Mr. Talbert

reminded the Board that they donated to the purchase of the Arson K-9 for the Kokomo Police Department and he would meet with the City to discuss possible participation in the purchase of this K-9.

5. **Courthouse Security:** Several representatives of the Sheriff's Department made a trip to the Cass County Courthouse to view their security set-up. Our security equipment is ready for delivery and Officer Trott will be trained on the use of the equipment. Sheriff Talbert did learn that a dosimeter will be needed to measure the amount of radiation, unless the equipment is manned in two-hour shifts. He will find out the OSHA regulations for operating the x-ray equipment.
6. **Phone Commissions For Sheriff Commissary Fund:** A T & T / SBC does not want to be in the business of supplying pay phones. The State Legislature has passed a law requiring counties with a population of 75,000 (nineteen counties) or more to comply with a contract the Department of Corrections made concerning payphone commissions. The DOC telephones currently have a commission of 35% on long distance calls and 18% on local calls. This is fine for the State facility that experiences high long distance usage. However, local county facilities experience the opposite with high local usage. Also, a sign on bonus has been discontinued. Sheriff Talbert estimates that those two factors will effectively decrease the phone commission revenue by about \$48,000.00. The Commissary Fund is used for such items as Officer cell phones, pagers, indigent haircuts, inmate uniform repair, GED testing, etc. Equipment for Reserve Officers, and the new Courthouse Security Officers have also been financed through the Commissary Fund. The Sheriff's Association will be addressing this issue at the summer meeting, but nothing can be addressed legislatively until next session. Sheriff Talbert has telephone companies who are vying for the business and has already listened to three company presentations, with more being scheduled. A sign on bonus is no longer allowable; however a facility rental charge may be legally feasible. Sheriff Talbert will keep the Board informed of the progress of this situation.

IN THE MATTER OF PLAN COMMISSION ISSUES:

Plan Commission Director Glen Boise presented the following plat for Commissioner approval:

1. **Case 1-CP-07:** One lot in Princell Subdivision, located at 4497 South 980 East, was approved on a motion made by Mr. Bagwell and seconded by Mr. Trine.

IN THE MATTER OF MAINTENANCE DEPARTMENT ISSUES:

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

1. **Keys To The Former Recycling District Offices:** Mr. Fross reported that the keys to the former Recycling District offices in the Government Center, have been received by the Maintenance Office, as directed by the Board of Commissioners (*please refer to page two, item two, "In The Matter Of Maintenance Department Issues", of the Regular Meeting minutes dated March 5, 2007*). Mr. Fross will call the Recycling District Office to retrieve the Government Parking lot stickers. Auditor Wells informed Mr. Fross of a fallen parking sign on the side of Taylor Street. Mr. Fross responded that he would have a look at the situation. Mr. Fross also informed the Board that, because of rust damage, he would like to relocate the parking signs nearest to the rear of the Government Center, to the outside of the building.
2. **A T & T Phone Contract:** Mr. Fross and Mr. Murrell presented the final Agreement for the Courthouse Phone Upgrade. The Agreement does include payment language to reflect forty-five days in lieu of thirty days, as approved by Attorney Murrell. An additional Agreement for PRI Service was received from A T & T. This agreement is for a service that will replace Centrex and will save the County money. The County currently has a contract for their Centrex service, for all County buildings and there are several questions the Board has concerning this new service. The Account Manager, Lorene Argyris, was the A T & T representative who sent the Agreement and Mr. Murrell suggests that she attend a meeting to make a presentation and answer questions concerning this PRI service. At the conclusion of discussion a motion was made by Mr. Bagwell, seconded by Mr. Trine, and carried to request a meeting with an A T & T representative before signing the proposed contracts. Mr. Murrell will contact Lorene Argyris to ask for a representative to attend the April 2, 2007 meeting.

3. **Board Of Health Electrical Work:** The electrical work needed in the Health Department is completed. The installation of a sink in the exam room will be addressed this week (*please refer to page two, item one, "In The Matter Of Maintenance Department Issues" of the Regular Meeting minutes dated February 5, 2007*).

IN THE MATTER OF PERSONNEL DEPARTMENT ISSUES:

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

1. **FMLA Log Confirmation:** The FMLA Log has been reviewed by the Board of Commissioners and confirmed on a motion made by Mr. Bagwell and seconded by Mr. Trine.
2. **PERF Going Paperless:** Personnel Office employees Wanda McKillip and Ann Williams, and Auditor Ann Wells and 1st Deputy Susan Bates attended a PERF meeting in Fort Wayne, last week. The meeting topic was to inform and instruct attendees of PERF's intention to go paperless by January of 2008. New hire set-up, address changes and retirement benefits will be done on-line, in an effort to make it more employer and member friendly. There is a website available for members to access to check their certification and years of service.

IN THE MATTER OF INFORMATION SYSTEMS DEPARTMENT ISSUES:

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

1. **Time Zone Change:** Mr. Tribby reported that the recent time zone change for the computers has been successful. Because the change schedule occurred three weeks earlier than usual, he's anxious to see what happens April 1st.
2. **Computer Installation Projects:** The Kinsey Computer project is finished. The Criminal Justice Center Project is 90% completed. The Information Systems Department will begin new software and server updates for the Court System.
3. **Mobile Video Arraignment:** The Mobile Video Arraignment cart that the Information Systems department put together is now being used successfully by all the Courts.
4. **Business Association Agreement With Howard Regional:** Mr. Tribby is in receipt of a Business Association Agreement with Howard Regional Hospital in connection with the wireless connectivity for their ambulances to our main Dispatch Center. Mr. Tribby will complete a list of services the County will provide. Attorney Murrell questions the Indemnity Form. Upon Appendix completion, Mr. Murrell will forward the information to our Insurance carrier.

IN THE MATTER OF THE 2006 ANNUAL ADJUSTMENT CONTRACT FOR REASSESSMENT:

County Assessor Jamie Shepherd submitted the 2006 Annual Adjustment Contract Addendum with Ad Valorem Solutions, LLC. This is an addendum to the 2006 contract for the purpose of assistance with the assessment appeals. There are 900 appeals in excess of the amount defined by the 2006 contract. This addendum offers a flat rate of \$31,500.00, a fixed amount, rather than a daily amount of \$400.00. Mr. Murrell has approved the addendum and the money is available from the Reassessment Fund. A motion was made by Mr. Trine, seconded by Mr. Bagwell and carried to approve the Addendum to the 2006 Annual Adjustment Contract, in the amount of \$31,500.00. Auditor Wells commended the performance of Assessor Shepherd and is confident that she will be proactive, as her predecessor was.

IN THE MATTER OF COMMUNITY CORRECTIONS ISSUES:

Community Corrections Director Steve Maus presented the following issues for Commissioner information and approval:

1. **American Messaging Contract:** Mr. Maus and Attorney Murrell presented a contract with American Messaging for electronic monitoring equipment. This company offers unlimited pages and is less expensive than the company they are presently using. A few changes have been made by Mr. Murrell

and it is now ready for Commissioners' approval. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the Contract with American Messaging, subject to the changes proposed by Mr. Murrell, and authorize the President to sign and initial the changes, on behalf of the Board of Commissioners.

2. **Ivy Tech Room Rental Contract:** The Community Corrections department will be holding a training seminar at Ivy Tech and they require a contract to hold the room needed. The contract was approved on a motion made by Mr. Bagwell and seconded by Mr. Trine.
3. **New Vehicle For Community Corrections Department:** Mr. Maus has an estimate from Brad Howell Ford for a 2007 Ford 500 SEL Sedan. The total for the vehicle, plus the trade-in value of a 2003 Mercury, is \$11,755.00. Mr. Maus would like to inquire as to the possibility of leasing a vehicle. Mr. Maus has an opportunity to lease Honda Accords at an economical rate. The trade-in value would cover the two-year lease payment. The Board discussed this option and how they have experienced payment problems in the past. Lease companies are difficult to work with, when it comes to Governmental payment schedules. Commissioner Trine is not comfortable with that option; Commissioner Bagwell is concerned about the lease arrangement. President Raver commented, "Apparently there isn't a wealth of enthusiasm." Mr. Maus continued with Plan B, the purchase of a 2007 Ford 500 SEL Sedan, from Brad Howell Ford. The cost of the vehicle is \$17,500.00 with the trade-in of a 2003 Mercury at \$7,000.00, and adding an extended service plan for \$1,255.00, for a total of **\$11,755.00**. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the purchase of a 2007 Ford 500 SEL Sedan for the total purchase price of \$11,755.00, as submitted.

IN THE MATTER OF AN INTERIOR TOUR OF THE HOWARD COUNTY COURTHOUSE:

Mr. Charles Duncan, a member of the Howard County Historic Preservation Committee and the Kokomo Historic Review Board, was in attendance to present a request for access to the Howard County Courthouse for limited interior tours of the Lobby area and the Circuit Court room. These interior tours would be a part of a walking tour of the Downtown Historic District on Saturday, May 5, 2007; one tour from 11:00 a.m. to 12:30 p.m. and the second tour from 2:00 p.m. to 3:30 p.m. Commissioner Bagwell volunteered to be in the building for the two tours, if no-one from the Maintenance Department could attend. A motion was made by Mr. Trine to approve the request to make the Courthouse available for interior tours of the Lobby and Circuit Court Room as submitted and to approve Mr. Bagwell as the Board Representative for the tours. The motion was seconded by Mr. Bagwell and carried. Mr. Fross will inquire with the Voter Registration Office to see if there will be any absentee voting on that date.

IN THE MATTER OF THE NEW LONDON CONSERVANCY DISTRICT:

Mr. Jeff Lipinski, as a member of the Russiaville Town Board, was in attendance to inform the Board of Commissioners that since January of 2007, the Town Board has taken over control of the New London Conservancy District, maintaining day to day operation of the sewage plant. Everything is going well but it is too soon to know if Russiaville will be able to financially maintain the plant. The Russiaville Town Board will be meeting tonight and looks forward to coming to the Board of Commissioners regarding a rate study for New London. President Raver expressed appreciation for the Town of Russiaville taking over the conservancy district. Mr. Murrell reminded the Board that there is an agreement for the County to pick up half of the costs associated with attorney's fees and the rate study.

IN THE MATTER OF KINSEY YOUTH CENTER ISSUES:

Kinsey Youth Center Assistant Director Jeff Lipinski presented the following issues for Commissioner information and approval:

1. **Appreciates Sheriff Talbert's Opening Remarks:** Mr. Lipinski echoed Sheriff Talbert's remarks and appreciates the good job that both facilities are doing to keep costs as low as possible, as well as the positive comments made. He also informed the Board that Kinsey is experiencing the same pay phone commission problem that the Sheriff's Department is facing, on a smaller scale.
2. **Boiler Breakdown:** One of the two boilers at the Center is down. Siemens has been contacted and they have prepared an estimate of repairs needed, and the computerized controls needed. After discussion a motion was made by Mr. Bagwell to authorize the request of \$1,570.00 from the Cumulative Capital

Fund and forward the request to the County Council for their approval. The motion was seconded by Mr. Trine and carried.

IN THE MATTER OF APPRECIATION EXPRESSED TO MR. CAIN:

Sheriff Talbert thanked Highway Superintendent / Engineer Ted Cain for patching the potholes in the asphalt of the Criminal Justice Center parking lot. This was done before there was a request and is very much appreciated. Buildings and Grounds Superintendent Art Fross made a request that the Board of Commissioners would visit the parking lot to see the deterioration of the lot that has never been sealed. Sheriff Talbert suggested that removing the decorative islands would create additional parking space needed for visitation days.

IN THE MATTER OF CLAIMS AND REPORTS:

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

1. **Commissioners' Salary Claims:** Salary, hourly and overtime claims payable March 23 and 30, 2007, in the amount of \$313,019.77, were approved on a motion made by Mr. Trine and seconded by Mr. Bagwell.
2. **Commissioners' Operating Claims:** Operating Claims payable March 19, 2007, in the amount of \$385,817.71, were approved on a motion made by Mr. Bagwell and seconded by Mr. Trine.
3. **Emergency Claim:** Ms. Wells submitted a claim for the Howard County Historical Society for payment today. This claim was originally submitted at the beginning of the year for operating money from the EDIT Fund. It was decided that this and the Economic Development Organization claims, paid out of EDIT funds, would be paid on a quarterly basis (*please refer to page seven, item three, "In The Matter Of Claims And Reports" of the Regular Meeting minutes dated February 5, 2007*). Those claims will be paid April 2, 2007. However, the Historical Society had financial obligations that could not wait until April 2nd, and asked that the claim be paid March 19th. On a motion made by Mr. Bagwell and seconded by Mr. Trine, the claim for the Howard County Historical Society was approved for early payment.
4. **Clerk And Treasurer Monthly Reports:** The Clerk Monthly report for the month ending February 28, 2007 and the Treasurer's Monthly report for the month ending February 28, 2007, were submitted and accepted on a motion made by Mr. Bagwell and seconded by Mr. Trine.
5. **Contract With SRI:** Ms. Wells submitted the Tax Sale Addendum and Work Plan for 2007 for the Commissioners' approval. The County out-sources the County's Tax Sale to this company. The fee has been increased to \$65.00 per parcel for additional steps taken to comply with the 2006 Jones vs. Flowers Supreme Court Decision, notification of owners through postage certification. A motion was made by Mr. Trine, seconded by Mr. Bagwell and carried to approve the Tax Sale Addendum and Work Plan for 2007 and to authorize the President to sign on behalf of the Board of Commissioners.

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

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

1. **Barnes & Thornburg Invoice:** Mr. Murrell submitted an invoice for services pertaining to the Delphi Bankruptcy for the month of January, 2007, in the amount of \$9,082.04. This invoice is approved for payment on a motion made by Mr. Bagwell and seconded by Mr. Trine.
2. **Sprint/Nextel Rebanding Agreement:** This is the final agreement between the County and Sprint/Nextel concerning the Rebanding Project, and was negotiated by our Washington Attorney and approved by Tony at Integrity Communications and Electronics. The eight frequencies to be reconfigured are identified in the Exhibit, with a completion date of June 26, 2008. The total estimated costs are \$363,000.00 and will be paid by Sprint/Nextel. Mr. Murrell informed the Board that the submitted contract is a copy and he is awaiting delivery of the original contract. It was suggested that this contract be approved and the President be authorized to sign the original when it is received. A motion was made by Mr. Bagwell to approve the contract and authorize President Raver to sign on behalf of the

Board of Commissioners, subject to delivery of the original contract. The motion was seconded by Mr. Trine and carried.

3. **Sub-Grant Agreement, Homeland Security:** Mr. Murrell submitted a proposed resolution concerning the reimbursable classified Sub-Grant Agreement EDS #C44P-7-221 with the Indiana Department of Homeland Security. The following resolution was made by Mr. Bagwell, seconded by Mr. Trine and carried: Subject to any necessary financing approval by the Auditor and County Council, the Board hereby approves the classified Sub-Grant Agreement EDS #C44P-7-221 with the Indiana Department of Homeland Security, and authorizes the President to execute the same.
4. **Tax Sale Seminar:** Mr. Murrell informed the Board of Commissioners of the Tax Sale Seminar that he attended, hosted by SRI, with Peggy Mallaber and George Schrader from the Auditor's Office, and Treasurer Martha Lake and Chief Deputy Mindy Heady. He especially commended Peggy Mallaber for her work with tax sale issues. Auditor Ann Wells expressed appreciation to Mr. Murrell for his attendance, the last several years, and how his understanding of what her people have to deal with, helps in this area.

IN THE MATTER OF COMMISSIONER ISSUES:

1. **New Emergency Tower:** Mr. Bagwell reported that the Tower, itself, is finished but the footings are not yet completed. The goal for completion of the project is the end of March or the beginning of April, 2007.
2. **Luncheon For Sheriff's Department Employee:** Sheriff Talbert expressed appreciation to County Officials and County employees for their support of the luncheon held to support employee Sheila Wyrick.
3. **Channel 18 News Invitation:** The Board of Commissioners is in receipt of an invitation to a luncheon on Wednesday, March 28th, from 11:45 a.m. to 1:15 p.m., hosted by Channel 18. Mr. Bagwell and Sheriff Talbert are planning to attend. They will be discussing news-worthy events in Howard County.
4. **Lack Of Heritage Museum Financial Report:** Mr. Raver is in receipt of the Heritage Museum's minutes. However, the Board does need the Financial Report. He will contact the Heritage Museum.
5. **Veterans Service Officer's Monthly Report:** The Veterans Service Officer's Monthly Report for the month of February, 2007, was submitted by President Raver and accepted on a motion made by Mr. Bagwell and seconded by Mr. Trine.
6. **U.S. 31 Coalition Legislative Day:** The U.S. 31 Coalition Legislative Day is Tuesday, April 3, 2007. Commissioner Bagwell will be attending.
7. **Kokomo Downtown Association Annual Meeting:** The Kokomo Downtown Association Annual Meeting will be held on Tuesday, March 27, 2007, from 5:00 - 7:00 p.m. Commissioner Trine will attend the meeting.
8. **United States Census Bureau Meeting:** About forty (40) Governmental Officials will be meeting in the Hearing Room of the Government Center on Wednesday, April 4th, at 9:30 a.m. Approval for the use of the room was given by the County Extension Office.

There being no further business to come before the Board at this time, the meeting was adjourned at 10:50 a.m. on a motion made by Mr. Bagwell and seconded by Mr. Trine.

HOWARD COUNTY BOARD OF COMMISSIONERS:

PAUL RAVER, PRESIDENT

BRADLEY J. BAGWELL, VICE PRESIDENT

DAVID A. TRINE, MEMBER

ATTEST:

ANN WELLS

Howard County Commissioner Meeting March 19, 2007