

## **HOWARD COUNTY BOARD OF COMMISSIONERS MEETING DECMEBER 28, 2007**

The Howard County Board of Commissioners met in Regular Session on Friday, December 28, 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 present were County Attorney Larry Murrell and Auditor Ann Wells.

The meeting was called to order by Sheriff Talbert and conducted by President Raver.

### **IN THE MATTER OF A CONTESTED CLAIM FOR THE CLERK'S OFFICE:**

Howard County Clerk Mona Myers submitted a claim for a hotel reimbursement for a statutory Election Meeting. There is an Indiana Code that tells the County Auditor how to pay the claim and it directs them to pay no more than \$85.00 plus applicable taxes for a single room rate. Because the single room rate of the hotel that hosted the conference is more than what is allowed by the State, Ms. Myers asked the Board for permission to pay the whole single room rate and not just the \$85.00 plus taxes. After brief discussion, a motion was made by Mr. Bagwell to approve the total single room rate. The motion was seconded by Mr. Trine and carried.

### **IN THE MATTER OF THE GOVERNMENT COORDINATING COUNCIL CONTRACT REQUEST:**

Ms. Leigha Brown, of the Governmental Coordinating Council submitted a request to contract with Howard County for payroll services for the GCC. On a motion made by Mr. Bagwell and seconded by Mr. Trine, the contract between Howard County and the Government Coordinating Council for payroll services was approved.

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

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

1. **Fire Alarm Contract:** At the December 17<sup>th</sup> Commissioner meeting, Buildings and Grounds Superintendent Art Fross was directed to contact Elwood Fire Equipment Company for a quote for the Kinsey Youth Center's fire equipment and sprinkler systems (*please refer to page five, "In The Matter Of Kinsey Youth Center Service Agreements", of the Regular Meeting minutes dated December 17, 2007*). Ms. Weaver is comfortable with Elwood's proposal for Fire Alarm Testing, but would like to check with the company that installed the sprinkler system and included annual inspections, to see if their proposal is competitive with Elwood Fire Equipment Company. At the conclusion of a brief discussion, a motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the contract with Elwood Fire Equipment Company for fire alarm testing and authorize the President to sign on behalf of the Board of Commissioners. The motion would also approve of the inspection of the Sprinkler system, by Elwood Fire Equipment Company, if the present company (installer) cannot offer a competitive annual inspection package.
2. **Indiana Department Of Child Services Contract:** Ms. Weaver presented a contract with Indiana Department of Child Services for licensing of the Residential Treatment Provider for the next four (4) years. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the contract with Indiana Department of Child Services, subject to Mr. Murrell's review, and authorize the President to sign on behalf of the Board of Commissioners.
3. **Kinsey Vending Machines:** The current vending machines used by the Kinsey residents are owned by Kinsey employee Brent Kelley. Mr. Kelley has a Conflict Of Interest form on file in the Auditor's Office. Because Mr. Kelley will be the new Director of Kinsey Youth Center, he would like to sell the vending machines. The Kinsey Youth Center would like to purchase the five vending machines for a total amount of \$2,000.00, affording them to realize 100% of the profits from the sale of the vending items in lieu of the current 20%. All items are purchased from the Commissary account and the machines would be purchased by the Commissary account as well, with a \$1,400.00 down payment and a minimum payment of \$200.00 monthly. An Agreement has been written and is submitted for the Board's approval. Mr. Murrell's opinion is that it's a small purchase, less than \$25,000.00, and can be done without quotes or the bid process. The only issue would be that the County is receiving full value of the machines, and, the research provided by Ms. Weaver, indicate \$2,000.00 is a fair value. A motion was made by Mr.

Bagwell, seconded by Mr. Trine and carried to approve the purchase of the vending machines by Kinsey Youth Center, and authorize the President to sign on behalf of the Board of Commissioners.

This is Ms. Weaver's last Commissioner Meeting and she thanked the Board, Mr. Murrell and Ms. Wells. The Commissioners wished her well in her new endeavor.

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

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

1. **Contract With Insight Communications:** Mr. Tribby presented the contract with Insight Communications for DSL and cable services to the Courthouse and Kinsey Youth Center (*please refer to page three, item one, "In The Matter Of Information Systems Department Issues" of the Regular Meeting minutes dated December 3, 2007*). Insight has agreed to Mr. Murrell's changes except the forty-five (45) day payment schedule; it must remain fifteen (15) days. The Auditor's Office has a special procedure in place to process the Insight billings within fifteen days. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the Insight Communications Contract with Howard County for services in the Courthouse and Kinsey Youth Center, and authorize the President the sign on behalf of the Board of Commissioners.
2. **E-911 Console Contract:** Mr. Murrell has received a contract with A T & T as an addendum to cover switching equipment for the new E-911 consoles, in the amount of \$3,875.00. Mr. Tribby is not familiar with this contract. The matter was tabled until Mr. Ramsey can explain the contract to the Board.

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

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

1. **Pay Phone Service:** Sheriff Talbert has received word that A T & T will no longer offer pay phone services. They will be in contact to inform the office of the service deadline and possible replacement vendors.
2. **Legislative Activity:** Sheriff Talbert has been made aware of the following possible legislative activity:
  - a. A bill to eliminate Reserve Officers by June, 2009. Any Reserve officer, who wishes to continue, will have to receive full training. Sheriff Talbert does not support this legislation and will talk to Representative Jim Buck. The Sheriff's Association will also oppose this type of legislation.
  - b. Representative Ron Herrell will introduce legislation to eliminate the requirement of posting Sheriff Sales in three locations. This requirement is antiquated. The Sheriff's Association will support this legislation.
  - c. Representative Buck will introduce a bill to the State making the abuse of the E-911 system a criminal offense.
3. **Purchase Of Inflatable Boat:** The Sheriff will be purchasing a Zodiac inflatable, lightweight, boat for the Dive Team. The purchase price is less than \$5,000.00
4. **Hosting Merit Board Seminar:** The Howard County Sheriff's Department will be hosting a Merit Board Seminar at the Johanning Civic Center on January 12, 2008. One hundred fifty people have signed up and Attorney Howard Williams will be the guest speaker.

### **IN THE MATTER OF THE 2008 PROPERTY AND CASUALTY INSURANCE PROPOSAL:**

Mr. Phil Thatcher of Miles & Finch Insurance was in attendance to review the 2008 Property and Casualty Insurance Proposal. The Insured under this policy is Howard County Board of Commissioners, Howard County Jail & Juvenile Detention Center Building Corporation and the Howard County Redevelopment Authority. The insuring companies are Selective Insurance Company, Indian Harbor Insurance and Arch Specialty, with the effective date of December 31, 2007 to December 31, 2008. The following is a list of insurance coverage:

Property  
ELITPAC Property Enhancements  
Inland Marine  
Crime  
General Liability  
Law Enforcement Professional Liability  
Public Official's Errors & Omissions Liability  
Public Entity Employment Practices Liability Claims Made Form  
Automobile  
Workers Compensation  
Medical Professional Liability (purchased earlier in December)

Mr. Thatcher reviewed the policy as well as the items and amounts covered. The total annual premium is \$755,836.00. This amount is a decrease of \$31,936.00 from the 2007 annual premium. Mr. Thatcher advised the law enforcement deductible could be decreased to \$50,000.00 for an additional \$37,900.00 premium. However, he recommended retaining the \$100,000.00 deductible for another year.

Both Attorney Murrell and Sheriff Talbert commended Mr. Thatcher for his accessibility and service offered in 2007. A motion was made by Mr. Bagwell to approve the 2008 Property and Casualty Insurance Proposal as presented by Mr. Thatcher, in the amount of \$755,836.00. The motion was seconded by Mr. Trine and carried.

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

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

1. **Commissioner Salary Claims:** Salary, hourly and overtime claims payable January 4, 2008, in the amount of \$313,019.77, were presented. Ms. Wells posed a question to the Board of Commissioners concerning the payment of the employees' salary increase. Because of possible legislative changes, Howard County was told not to anticipate a tax rate by the May 10<sup>th</sup> due date. The Department of Local Government Finance has not held a budget hearing for Howard County, which means that our 2008 budget has not yet been approved by the State. Not having an approved budget, the only thing the Auditor has to pay is the payroll, and she would like direction as to whether to pay the 2007 salary rates or the 2008 salary rates with the approved 3% increase. At the conclusion of brief discussion, a motion was made by Mr. Trine, seconded by Mr. Bagwell, and carried to authorize the Auditor to pay the salaries according to the 2008 budgeted payroll rates. A motion was then made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the Commissioners' Salary Claims.
2. **Commissioner Operating Claims:** Operating Claims payable December 28, 2007, in the amount of \$567,866.14, were approved as advertised, on a motion made by Mr. Trine and seconded by Mr. Bagwell.
3. **Treasurer's Report:** The Treasurer's Monthly Report for the month ending November 30, 2007, was accepted on a motion made by Mr. Trine and seconded by Mr. Bagwell.
4. **Edit Fund Support Recipients:** Concerning the Economic Development Organizations and the County Museum Operating Expense Grant, it was the consensus of the Board to pay those claims quarterly as in 2007.

### **IN THE MATTER OF RESOLUTION NO. 2007-BCCR-35:**

County Attorney Larry Murrell presented Resolution No. 2007-BCCR-35, a resolution of the Howard County Board of Commissioners confirming the November 8, 2007 order issued by the Howard County Enforcement Authority to Florence I. John (also known as Scott) for the demolition of property located at 12541 East County Road 332 South. This demolition will be ordered, subject to a final hearing on January 22, 2007. Resolution No. 2007-BCCR-35 is approved on a motion made by Mr. Trine and seconded by Mr. Bagwell. Ms. John will be notified by Certified mail of this resolution and the final hearing on the 22<sup>nd</sup> of January.

### **IN THE MATTER OF COMMISSIONER ISSUES:**

1. **Weights And Measures Report:** The Weights and Measures Report for the month of November 15, to December 15, 2007, was accepted on a motion made by Mr. Bagwell and seconded by Mr. Trine.
2. **Wage Hearing For EMA Reconstruction:** Mr. Raver and Mr. Bagwell discussed the fact that a wage hearing will be needed before the EMA Reconstruction can begin. The Council will be hearing the fund request for the reconstruction at their January, 2008 meeting. Mr. Bagwell will contact Dimensions Inc. to request a wage hearing for the third Wednesday in February.
3. **Capital Improvement Plan:** The Board was presented with a proposed Capital Improvement Plan for the calendar years 2008 and 2009. The proposed plan was reviewed and discussed. More information concerning funds received will be needed before the plan can be approved. Those figures will be available for review for the January 7, 2008 meeting. The plan will be resubmitted and reviewed at that time.
4. **Board Appointments:** The Board of Health will need a new appointment, but is not yet ready. The Commissioners will address the appointment at the January 7<sup>th</sup> meeting. Also to be addressed at the January 7<sup>th</sup> meeting will be the appointment for the Automotive Heritage Museum Board. The following Department Heads were appointed:
  - a. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to confirm the second year of the two-year appointment of Mr. Larry Murrell as the County Attorney and Mr. Brian Oaks as the Assistant County Attorney.
  - b. Mr. Art Fross was appointed to the position of Superintendent for the Buildings and Grounds Department for the year ending December 31, 2008, on a motion made by Mr. Bagwell and seconded by Mr. Fross.
  - c. Mr. Ted Cain was appointed to the position of County Highway Engineer/Superintendent for the year ending December 31, 2008 on a motion made by Mr. Trine and seconded by Mr. Bagwell.

President Raver thanked Commissioner Trine for his work in organizing the 1<sup>st</sup> Annual Howard County Employees Christmas Party. Many favorable comments were received. Mr. Raver read a Thank You letter received from Judge Hopkins, and Mr. Trine and Mr. Bagwell expressed appreciation for all the helpers involved.

5. **Commissioner Board Reorganization:** A motion was made by Mr. Trine to elect Brad Bagwell as Board President for 2008. President Raver vacated the chair and seconded the motion. The motion carried.

A motion was made by Mr. Bagwell to elect David Trine as Board Vice President for 2008. President Raver vacated the chair and seconded the motion. The motion carried.

There being no further business to come before the Board of Commissioners at this time, the meeting was adjourned at 10:45 a.m. on a motion made by Mr. Bagwell and seconded by Mr. Trine.

**HOWARD COUNTY BOARD OF COMMISSIONERS:**

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BRADLEY J. BAGWELL, PRESIDENT

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DAVID A. TRINE, VICE PRESIDENT

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PAUL J. RAVEN, MEMBER

ATTEST:

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ANN WELLS, AUDITOR

Howard County Board of Commissioner Meeting December 28, 2007