

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING AUGUST 20, 2007

The Howard County Board of Commissioners met in Regular Session on Monday, August 20, 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 opened by Sheriff Marshall Talbert and conducted by President Paul Raver.

IN THE MATTER OF APPROVAL OF MINUTES:

The minutes of the August 6, 2007 meeting, having been previously submitted and reviewed, were approved on a motion made by Mr. Bagwell and seconded by Mr. Trine.

IN THE MATTER OF HIGHWAY DEPARTMENT ISSUES:

Highway Department Supervisor / Engineer Ted Cain submitted the following issues for Commissioners' information and approval:

1. **Notice To Bidders:** Mr. Cain is preparing specifications for a Notice to Bidders, to replace the grader that is used for snow plowing in the northwest quadrant of the County. It will also be used as a tow truck to remove vehicles that have gotten stuck in snow drifts. The projected cost will be \$80,000.00 - \$100,000.00. Mr. Cain will be presenting the Notice and specifications at the next Commissioner meeting.
2. **Engineering Services Agreement With Butler Fairman & Seufert:** At the August 6th meeting, Mr. John Speidel submitted copies of an Engineering Services Agreement for engineering services for the survey and design, and environmental aspects of the Boulevard Project for the U.S. 31 Freeway interchange into Goyer Road (*please refer to page six, "In The Matter Of An Engineering Services Agreement For The Boulevard Street Project", of the Regular Meeting minutes dated August 6, 2007*). The Commissioners took the agreement under advisement. Butler Fairman and Seufert had been approved, previously, to do all the by-pass work. Since that time, a new selection procedure for engineering services has been put into place, by the State. Mr. Murrell would like to review those procedures with Mr. Speidel, before signing the agreement. The money for this contract is available from the Local Road & Street Fund.
3. **No Trespassing Signs:** Plan Commission Director Glen Boise had previously reported the construction of a BMX track on property located at 4089 South County Road 50 East (*please refer to page two, item four, "In The Matter Of Plan Commission Issues" of the Regular Meeting minutes dated August 6, 2007*). Mr. Boise was directed by the Board to post a No Trespassing Sign on the property and remove any hills that had been constructed. He reported that the Highway Department did post the No Trespassing sign on the property, as well as removing the dirt hills that were in the process of being constructed. Mr. Boise thanked Mr. Cain and his department for their timely attention to this matter.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

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

1. **Jail Population:** Currently there are three hundred forty-three (343) inmates at the Criminal Justice Center with forty-eight (48) being females.
2. **Resolution No. 2007-BCCR-19, Bomb Sniffing K-9:** Sheriff Talbert reported that he is in receipt of a check, in the amount of \$5,500.00 for the purchase of a Bomb Sniffing K-9. The anonymous donor gave the money in memory of a deceased brother-in-law who had been an enforcement provider. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve Resolution No. 2007-BCCR-19, a resolution to accept the donation of \$5,500.00 for a Bomb-sniffing K-9.

3. **Vehicle Needed For New K-9:** Sheriff Talbert reported that he does have funds to purchase a vehicle to transport the Bomb-Sniffing K-9, and requests authorization to obtain quotes. A motion was made by Mr. Bagwell to authorize Sheriff Talbert to obtain quotes for a transport vehicle for the new K-9. The motion was seconded by Mr. Trine and carried.
4. **Purchase Of Light Bars:** Law Enforcement Fund 198 has \$10,000.00 in the Equipment line. Sheriff Talbert would like to use those funds to purchase four light bars for Sheriff Vehicles. A motion was made by Mr. Bagwell to authorize the use of funds from the Law Enforcement Fund to purchase light bars for Sheriff Vehicles. The motion was seconded by Mr. Trine and carried.
5. **Check To Auditor:** E911 Coordinator Tony Ramsey submitted a check in the amount of \$150.00 to the Auditor for receipt into the E-911 fund.
6. **Resolution No. 2007-BCCR-20:** This resolution, submitted by Mr. Ramsey, is recommending the adoption of an ordinance of the Howard County Council increasing the enhanced emergency telephone system monthly fee from \$.56 to \$.91. This resolution, recommending passage to the Council, was approved on a motion made by Mr. Trine and seconded by Mr. Bagwell.
7. **Resolution No. 2007-BCCR-15 - Transfers:** Mr. Ramsey submitted this resolution to request a transfer of \$20,000.00 from E911 line item 03216.00, Communication System Support to 01124.00, Part Time Dispatcher. Resolution No. 2007-BCCR-15 - Transfers is approved on a motion made by Mr. Bagwell and seconded by Mr. Trine.
8. **Sprint/Nextell Rebanding Amendment:** Mr. Ramsey submitted an e-mailed copy of an amendment to the Sprint/Nextell Rebanding Project, for an upgrade to the radio software. A motion was made by Mr. Bagwell to approve the amendment to the Sprint/Nextell Rebanding Project for the radio software upgrade and authorize the President to sign on behalf of the Board of Commissioners when the hard copy of the contract is received. The motion was seconded by Mr. Trine and carried.
9. **Courthouse Security:** The new security measures put into place at the Courthouse began today, August 20th. Commissioner Bagwell reported that already this morning, hardware, including a knife and gun clip, has been detected and removed from the Courthouse.

IN THE MATTER OF PLAN COMMISSION ISSUES:

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

1. **Unsafe Buildings:** Mr. Boise reported on the following Unsafe Properties:
 - 1) a fire damaged home on County Road 350 East, in Center. Notification is being prepared.
 - 2) a double-wide manufactured home has been installed on wheels at a property in Center. The property owner has been notified by letter.
 - 3) Mr. Boise has checked several properties that are in the midst of bankruptcy proceedings and they are being maintained.
2. **Corn Complaints:** The complaints of tall corn being too close to intersections, that were reported at the previous meeting, have been addressed and trimmed back (*please refer to page three, item six, of the Regular Meeting minutes dated August 6, 2007*).

IN THE MATTER OF MAINTENANCE DEPARTMENT ISSUES:

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

1. **Additional Security Equipment:** Mr. Fross reported to the Board that some additional pieces of equipment are needed to supplement the new Security Equipment for the Courthouse. The additional cameras will arrive next week.

2. **Howard Haven Tank Removal:** Pickering Excavating will begin the removal of the tank at Howard Haven, next week. A representative from the water company will be at Howard Haven to help with alternatives to turning off the water for several days. The concrete work will be addressed at a later date.
3. **Criminal Justice Center Overhead Door:** The overhead door for the East side of the Criminal Justice Center will be delivered, inspected and installed this week.
4. **Administration Center Roofing Project:** Today is the last day that workers will be on the roof to complete the roofing project. Inspection will ensue after completion.
5. **Courthouse North Side Door:** The Courthouse north side door will be deactivated and used only as an emergency exit. A gate will be installed to control traffic, and a magnetic lock will be installed on the door, that will be wired into the building's alarm system. The estimated cost of the gate is \$350.00.

IN THE MATTER OF PERSONNEL DEPARTMENT ISSUES:

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

1. **PAC Committee Salary Recommendations For 2008 Budget:** Ms. McKillip submitted copies of the PAC Committee Salary Recommendations for the 2008 Budget. The Commissioners will review the PAC recommendations, and address them at their September 4th meeting.
2. **Employee Life Option Insurance Package:** Ms. McKillip informed the Board of Commissioners that the meetings with Boston Mutual, concerning the Employee Life Option Insurance Package, were going well (*please refer to page four, item one, "In The Matter Of Personnel Department Issues", of the Regular Meeting minutes dated August 6, 2007*). Several employees have expressed interest in the option.

IN THE MATTER OF INFORMATION SYSTEMS DEPARTMENT ISSUES:

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

1. **GIS Software Upgrade:** The GIS Software Upgrade, addressed at the previous meeting, took place on August 17th (*please refer to page five, item four, "In The Matter Of Information Systems Department Issues", of the Regular Meeting minutes dated August 6, 2007*). Mr. Tribby commended Schneider Corporation and its representatives for the well organized un-installation of the old software and installation of the new. It was completed in a very timely fashion.
2. **Verizon Wireless Cell Phone Bill:** Mr. Tribby is still waiting for the internal audit of the County cell phone account with Verizon Wireless.
3. **Enhanced Cell Phone Reception Service At Administration Center:** Mr. Tribby is testing new units for enhanced cell phone reception for the Administration Center (*please refer to page five, item two, "In The Matter Of Information Systems Department Issues" of the Regular Meeting minutes dated August 6, 2007*). The Verizon Wireless representative informed Mr. Tribby that their company has approved units available for \$4,800.00. There is a possibility that this could be put through as an in-house request, with a significant savings for the County. Mr. Tribby will keep the Board informed of the progress of this project.
4. **New Server Installed At The Criminal Justice Center:** The new server has been installed at the Criminal Justice Center. The old server has been converted to a surf-control server that monitors and filters the internet. E-911 Coordinator Tony Ramsey will administer that program.
5. **New Data Backup Procedures:** The Information Systems Department is putting into place new data backup procedures. Using these new procedures, they were able to restore data concerning former reassessment figures from six months ago, for reports requested by the State.

6. **Hearing Room Computer:** Mr. Tribby is planning to replace the computer in the Hearing Room with a quicker model. He will prepare a recording system for budget hearings, as well as restoring the Chief Deputy Auditor's machine.

IN THE MATTER OF THE US-31 COALITION REPORT:

Mr. Dennis Faulkenberg and Ms. Laurie Maudlin, of the US-31 Coalition, were in attendance to present information to the Board of Commissioners concerning the progress of the Coalition and the current status of the US-31 Freeway Project. Mr. Faulkenberg cited that \$344,537,446.00 of the Major Moves Initiative would be used for the Howard County portion of the US-31 Freeway Project, with a current construction start date of 2009. American Structurepoint was hired in November, 2006 to complete the design of the project, as well as work on the permits and right-of-ways. Mr. Faulkenberg thanked the Board of Commissioners for the cooperation of Howard County, and the work of Commissioner Bagwell as secretary of the US-31 Coalition.

At 9:45 a.m. a motion was made by Mr. Trine, seconded by Mr. Bagwell and carried to recess the Regular meeting in order to recognize the 200th consecutive Commissioner meeting attended by (Iron Man) Mr. Raver. At the conclusion of a standing ovation, followed by refreshments, the meeting reconvened at 10:13 a.m.

IN THE MATTER OF HEALTH DEPARTMENT ISSUES:

Health Officer Dr. Don Zent and Health Department's Environmental Coordinator Sue Norris submitted a request to establish a Petty Cash Fund for the Health Department. This fund would be used to pay for the postage of shipping animal heads and water samples, postage, and other cash only transactions. Ms. Norris has spoken with State Board of Accounts Rick Cole and he cited Indiana Code 36-1-8-3 as an administrative provision. At the conclusion of discussion, a motion was made by Mr. Bagwell to take this issue under advisement. The motion died for the lack of a second and was withdrawn by Mr. Bagwell. After further discussion, a motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to support the request for a Petty Cash Fund for the Health Department, to be forwarded to the County Council.

At this time, President Raver recognized Commissioner Bill McCormack, from Montgomery County.

IN THE MATTER OF COUNTY MUSEUM FINANCIAL REQUEST:

County Museum Director Kelly Karickhoff submitted a request for financial relief from Howard County. Howard County underwrites the salaries for the Museum's full-time staff and the buildings' utilities, and the Historical Society pays for maintenance and repairs. The Museum has expended the \$30,000.00 for repairs provided by the Historical Society, but there is an unexpected issue with guttering, copper flashing, and slate tile repairs needed on the east side of the Seiberling Mansion. Ms. Karickhoff reminded the Board the current roof is the original roof of the mansion. She is requesting \$15,000.00 from the Cumulative Capital Fund to help with the costs of the repairs. A motion was made by Mr. Bagwell to approve the \$15,000.00 request from the Cumulative Capital Fund and forward the request to the County Council. The motion was seconded by Mr. Trine and carried.

IN THE MATTER OF HOWARD HAVEN ISSUES:

Howard Haven Superintendent Kelly Spidell submitted the following issues for Commissioners' information and approval:

1. **Application For Residency:** An application for residency on behalf of William Deuette, was submitted and approved for the usual 90-day probationary period, on a motion made by Mr. Trine and seconded by Mr. Bagwell.
2. **Removal Of Used Furniture:** As part of an earlier remodeling project, Howard Haven is receiving new furniture that will be arriving on Thursday. Ms. Spidell must remove the present pieces of furniture to be replaced, and asks that they be donated to the Rescue Mission. She believes the value of the furniture is

less than \$1,000.00. Mr. Murrell reminded the Board that personal property deemed of having a value of less than \$1,000.00 can be disposed of at the Board's discretion, without any notice or auction. A motion was made by Mr. Trine, seconded by Mr. Bagwell and carried to deem the value of the furniture to be less than \$1,000.00 and approve the donation of the used furniture to the Rescue Mission.

3. **P.A.L. Parking On Howard Haven Property:** There are P.A.L. ball-fields located next to Howard Haven. Ms. Spidell reported that they have experienced problems with people parking on the County Home's lawn. On Sunday there were about fifty vehicles that parked on the lawn, and she had to ask people to please move their vehicles. It was suggested, by one of the league's coaches, that the Home charge people a parking fee instead of making them move their cars. Ms. Spidell would like input from the Board of Commissioners. Mr. Raver reminded the Board that the land the P.A.L. fields are located on is also owned by the County. At the conclusion of ensuing discussion, Mr. Bagwell suggested that, as the Board's representative for Howard Haven, Mr. Trine work on this issue with Howard Haven, for further recommendations.

IN THE MATTER OF THE EFFORTS TO AMEND THE CURRENT COUNTY DOG ORDINANCE:

Citizen Don Bottom of 5655 North County Road 00 EW, in Kokomo, was invited to the podium to express his concern over the aggressive dog situation in Howard County. President Raver took this opportunity to allow Mr. Trine and Mr. Murrell to report on the meeting they held with Sheriff Talbert and representatives of the Humane Society, last week (*please refer to page three, "In The Matter Of An Aggressive Animal Issue", of the Regular Meeting minutes dated August 6, 2007*). There are no plans to amend the present Dog Ordinance to be a "specific breed" ordinance, but to keep it as a "Vicious Dog" Ordinance and give the Humane Society more enforcement capabilities to deal with vicious animals. The present law deals with the fine for vicious animals attacking people, not animals, and there is no provision for mandatory destruction of the animal. The proposed amended ordinance would give the Humane Society the authority to pick up a "vicious" animal and have it destroyed, without having to go to Court. Auditor Wells will notify Mr. Bottom of the date this Ordinance will be on the Commissioner Meeting Agenda.

IN THE MATTER OF CLAIMS AND REPORTS:

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

1. **Commissioners' Salary Claims:** The salary, hourly and overtime claims payable August 24 and 31, 2007, in the amount of \$313,019.77 each, are approved on a motion made by Mr. Trine and seconded by Mr. Bagwell.
2. **Commissioners' Operating Claims:** The operating claims payable August 20, 2007, in the amount of \$658,775.04 are approved 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 July 31, 2007, is accepted on a motion made by Mr. Trine and seconded by Mr. Bagwell.

IN THE MATTER OF THE TOWNSHIP ASSISTANCE HEARING:

Mr. Raver presented the Township Assistance Hearing for Mr. Guy Bricknell of Center Township. As Hearing Officer, Mr. Raver made a recommendation to uphold the denial of the Trustee. A motion was made by Mr. Trine, seconded by Mr. Bagwell and carried to uphold the denial of the Trustee.

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

Attorney Larry Murrell submitted the following issues for Commissioners' information and approval:

1. **EMA Personal Property Claim Payment:** The Auditor's Office is in receipt of several claims from the City of Kokomo, relating to personal property affected by the EMA Building fire, as well as storage costs for that personal property. Mr. Murrell has received a proposal from Selective Insurance Company, in the amount of \$160,883.00, as a cash settlement for 92% of the total value, in lieu of paying individual claims. There will be a meeting with the insurance companies and City and County representatives, to determine the proper amount and procedure, before signing the proposal.

2. **Barnes & Thornburg Invoice:** Mr. Murrell submitted an invoice from Barnes & Thornburg in the amount of \$459.00, for services rendered for Delphi bankruptcy matters through June 30, 2007. The invoice was approved for payment on a motion made by Mr. Bagwell and seconded by Mr. Trine.
3. **Addendum To Structurepoint Contract:** Structurepoint was hired to conduct a study concerning possible renovations to the existing Criminal Justice Center. The original contract cost was \$16,500.00 and \$4,000.00 is currently unused. The Criminal Justice Committee has also asked Structurepoint to conduct studies for the **costs** pertaining to the renovations. Instead of entering into an additional contract with Structurepoint in the amount of \$12,000.00, this addendum would extend the current Contract to include cost studies, for an additional amount of \$8,000.00. This makes the total cost of the contract, with the addendum, \$24,500.00. A motion was made by Mr. Bagwell to extend the present contract with Structurepoint for an additional amount of \$8,000.00, 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 COMMISSIONER ISSUES:

1. **Letter From A T & T:** Mr. Bagwell submitted a letter from A T & T informing the Board that an internet protocol based next generation video product would be available to Howard County, beginning August 22, 2007. He asked that this letter be filed in the Auditor's Office.
2. **WWKI Mail Call:** Mr. Trine reported that he and Mr. Murrell were guests on WWKI Radio Station's Mail Call program last week. They spoke about the Continental Steel site. Mr. Trine has a meeting with Congressman Donnelly concerning that issue, this afternoon. He has also been in contact with Congressman Burton and Senator Lugar concerning the steel site.
3. **2008 Budget Sessions:** Council President Richard Miller was in attendance to issue an invitation to the Board of Commissioners to be a part of the September 5th, 2008 Budget Hearing. The Council would appreciate their advice, "individually and collectively", in determining the 2008 budget.
4. **Soil And Water Meeting:** Mr. Raver received notification of the Soil & Water meeting, this Wednesday at 9:00 a.m. The invitation is for the Board of Commissioners and Council.
5. **Weights & Measures Report:** The Weights and Measures report from July 15 - August 15, 2007 was accepted on a motion made by Mr. Bagwell and seconded by Mr. Trine.
6. **Veterans Service Reports:** Mr. Raver submitted Veterans Service Reports for the months of May, June and July, 2007. Those reports were accepted on a motion made by Mr. Trine and seconded by Mr. Bagwell. Mr. Polsgrove has had health problems and will be back to work on a part-time basis. A part-time Secretary has been hired.
7. **Letter Of Commitment:** An Economic Development Project is in progress and a Letter of Commitment from the Board of Commissioners is needed, offering economic support for any incentive needed to attract the company to Howard County. A motion was made by Mr. Bagwell that he be authorized to prepare a Letter Of Commitment to the Howard County Economic Development Corporation, for the purpose of attracting the business to Howard County. The motion was seconded by Mr. Trine and carried.

There being no further business to come before the Board at this time, the meeting was adjourned at 11:20 a.m. on a motion made by Mr. Bagwell and seconded by Mr. Trine.

HOWARD COUNTY BOARD OF COMMISSIONERS:

PAUL J. RAVER, PRESIDENT

BRADLEY J. BAGWELL, VICE PRESIDENT

DAVID A. TRINE, MEMBER

ATTEST:

ANN WELLS, AUDITOR
Howard County Board of Commissioners Meeting August 20, 2007