

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING SEPTEMBER 17, 2007

The Howard County Board of Commissioners met in Regular Session on Tuesday, September 17, 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 Major Steve Rogers and conducted by President Paul Raver.

IN THE MATTER OF APPROVAL OF MINUTES:

The minutes of the September 4, 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 THE RELEASE OF A CASHIER'S CHECK:

Highway Department Supervisor / Engineer Ted Cain confirmed the release of the cashier's check in the amount of \$7,230.00, made out to Mr. James Brown and The Howard County Board of Commissioners (*please refer to page one, item three, of the Regular Meeting minutes dated September 4, 2007*). Mr. and Mrs. Brown will submit a check for \$50.00 for the re-facing of the street signs, when the cashier's check has been endorsed by the Board and released.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

Major Steve Rogers submitted the following issues for Board information and approval:

1. **Sheriff Talbert Attends Training Seminar:** Major Rogers informed the Board that Sheriff Talbert is attending a training seminar concerning fatal accident reporting. This training involves the accessing of the black box, contained on all newer model vehicles.
2. **Current Jail Population:** There are currently three hundred fifty (350) inmates, forty-eight (48) of them being female.
3. **Crime Watch Program:** Sheriff Talbert has personally helped in the successful organization of a Crime Watch program.
4. **E-911 2008 Budget:** E-911 Coordinator Tony Ramsey presented the proposed 2008 Budget for E-911. The changes from the 2007 budget include rank differentials in the three top positions. Mr. Ramsey is also requesting that another dispatcher from the Sheriff's fund (County General) be transferred to the E-911 fund to fill out the supervisor role for the night shift (total of two supervisors). Major Rogers informed the Board that Mr. Ramsey's position is a middle management position with the rank of Lieutenant. Mr. Ramsey informed the Board that there is sufficient revenue for the additional position and salary changes. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the 2008 Budget request, and forward the salary requests for Council approval.

IN THE MATTER OF PLAN COMMISSION ISSUES:

Plan Commission Director Glen Boise submitted the following issues for Commissioners' information and approval:

1. **Ordinance No. 2007-BCCO-37:** This request to rezone property located 7342 East 00 North South, Greentown, from A-1 Agriculture to B-2 General business received an unfavorable recommendation from the Plan Commission and was previously submitted to the Board of Commissioners (*please refer to page two, item two, "In The Matter Of Plan Commission Department", of the Regular Meeting minutes dated September 4, 2007*). This issue was tabled for Attorney Review of the "Proper Notice" clause. Mr. Murrell stated that the "Proper Notice" requirement could be satisfied by including the Plan Commission Agenda Items list with the Commissioner Meeting minutes and Agenda that are sent to all media, as well as being posted outside the Hearing Room three days prior to the meeting. Mr. Raver opened the floor for Public Comment, at this time. There being no public comment, discussion ensued between Mr. Boise and the Board. A motion was made by Mr. Trine to uphold the unfavorable recommendation of the Plan

Commission. Mr. Bagwell is abstaining from the vote; Mr. Raver vacated the chair to second the motion. The motion carried.

2. **Unsafe Building Located In West Liberty:** This property located at 320 South County Road 1250 East was slated for a controlled burn by the Greentown Fire Department, after trash was removed (*please refer to page two, item three, "In The Matter Of Plan Commission Department", of the Regular Meeting minutes dated September 4, 2007*). Because of various complications, including asbestos roof shingles, the Fire Department has since declined to burn the structure. Mr. Boise will contact the owner with a request to demolish the structure. If the request is granted, Mr. Murrell will prepare a consent form, to be signed by the owner. Once that has been obtained, Mr. Boise will proceed with needed specifications for the demolition, including the removal of the asbestos shingles.
3. **Unsafe Building At 3662 South County Road 350 East:** A letter has been sent to the owner of this property, south of Center, but was returned, unopened. Mr. Boise will follow-up to find other records for this property.
4. **Waste Runoff From A Horse Farm Complaint:** Mr. Boise will continue to check into this complaint (*please refer to page two, item five, "In The Matter Of Plan Commission Department" of the Regular Meeting minutes dated September 4, 2007*).
5. **Request To Review Speed Limit:** The Government Coordinating Council has been contacted concerning their assistance in conducting a traffic count. The Council replied that this location is out of their planning area. They could help us with the instruments needed but could supply no manpower. Mr. Boise will review the issue, further.
6. **Complaint Of Property Located at 2015 East Markland:** Mr. Trine has received a complaint from a neighbor of property located at 2015 East Markland Street. Mr. Boise is aware of this building, informing the Board that this building was previously purchased by the State, but they have not torn it down. Specifications for demolition of this house have not yet been written. Mr. Boise will send an Unsafe Building Letter to the State, hoping to encourage the process to move forward.
7. **Possible Illegal Landfill On Touby Pike:** Mr. Trine also reported that he has received two complaints of a possible illegal landfill site on Touby Pike, on the east side of the road, south of Morgan Street. City trucks have been sighted dumping loads of what looked like crushed asphalt. Mr. Boise informed the Board that the Bowyer Brothers do have a construction waste recycling facility, just south of the Tudor Drain, just north of North Street. This might be what the complainants were referring to. This is to be used as a transfer station; however the complainants did state they saw loads being "dumped" as landfill. Mr. Boise's office will check into this matter.

IN THE MATTER OF MAINTENANCE DEPARTMENT ISSUES:

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

1. **Criminal Justice Center Overhead Door:** Installation of the overhead door on the East side of the Criminal Justice Center has been completed.
2. **Forklift Purchase:** Mr. Fross informed the Board of the purchase of a used forklift from South Side Lumber Company. South Side Lumber was selling some used equipment and Mr. Fross received permission from President Raver to make the needed purchase.
3. **Sidewalk Installation At Howard Haven:** Pickering Excavation will be installing the sidewalk at Howard Haven on Tuesday.
4. **Courthouse Cameras:** The additional cameras and equipment, ordered for the Courthouse, have not yet been received. Mr. Fross will contact the manufacturer for further information.

5. **Criminal Justice Center Dryers:** There is room for an additional dryer in the Criminal Justice Center's laundry room. The Maintenance Department will remove a portion of an existing but unneeded counter. When that has been completed, and a price agreed upon, the dryer will be ordered.
6. **Frequent Visitor Security Passes:** Additional Courthouse Security cards will only be available through the Security Office. The maintenance computer that houses the access card making program will be transferred to the Security Office and the Maintenance Department will be receiving a new computer.
7. **New Courthouse Phone System:** The installation of the new phone system for the Courthouse has been completed. We are still awaiting the final contract. Maintenance Department secretary Diane Donnell was in attendance to answer any questions the Board might have concerning the new system.
8. **Howard Haven Roofing Project:** Believing the project to cost less than \$75,000.00, Mr. Fross will be inviting vendors to quote on the Howard Haven Roofing Project. Butler Fairman & Seufert had previously prepared specifications and those can still be used for this project. Mr. Fross suggests that we set the completion date as ninety (90) days from acceptance of the quote, and would like to open quotes at the October 1st meeting. A motion was made by Mr. Bagwell to submit requests for quotes for the Howard Haven Roofing Project to be received no later than 8:30 a.m. on Monday, October 1, 2007, and opened at 9:00 a.m. on the 1st. The motion was seconded by Mr. Trine and carried.
9. **Certificate Of Appreciation:** A Certificate of Appreciation was presented to Maintenance Secretary Diane Donnell, in appreciation and recognition for her hard work and dedication, especially for her timely work in making the Courthouse Security Badges. Ms. Donnell accepted the Certificate amid well deserved applause. President Raver also expressed appreciation for her willingness to work with him during the Courthouse Renovation several years ago.
10. **Storage Needs:** Finding room for storage is now imperative and Mr. Raver would like to work with Mr. Fross to find room for storage of Clerk Office documents. Discussion continued, involving possible storage options in the basement of the Administration Center, the 4th floor of the Administration Center, and the Government Center, to answer the immediate need. A long term solution will need to be discussed in the future. Mr. Fross is concerned about the load factor of the Administration Center's fourth floor. Auditor Wells will contact Office Holders and Department Heads of the Administration Center to inspect the items presently stored on the 4th floor.

IN THE MATTER OF INFORMATION SYSTEMS DEPARTMENT ISSUES:

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

1. **Jury Selection Software:** Mr. Tribby and System Administrator Gene Deleon will be attending a meeting with JTech, October 4th, to begin to learn the State's Jury Selection software. This new software will take the liability away from Howard County and place it with the State's Supreme Court.
2. **Enhanced Cell Phone Service In The Administration Center:** The County's cell phone provider, Verizon Wireless, has an option for equipment to enhance cell phone service. That option is costly and Mr. Tribby has installed similar enhancement equipment (*please refer to page three, item three, "In The Matter Of Information Systems Department Issues" of the Regular Meeting minutes dated August 20, 2007, and page five, item two, "In The Matter Of Information Systems Department Issues" of the Regular Meeting minutes dated August 6, 2007*). Verizon informed Mr. Tribby that the equipment interferes with the Verizon signal. Mr. Tribby invited our Verizon representative to be present when installing a new set of equipment. On the appointed day, he called to inform Mr. Tribby that his superiors did not want to risk compromising the current cell service. Verizon does have equipment on order that complies with their system, to address this situation.
3. **Business Association Agreement With Howard Regional:** The County is waiting for a Business Association Agreement from Howard Regional Hospital for the wireless connectivity to the ambulance service (*please refer to page four, item two, "In The Matter Of Information Systems Department Issues" of the Regular Meeting minutes dated May 7, 2007*). It has been installed and is ready to be connected, as soon as the Business Association Agreement is received and approved.

4. **Department Of Local Government Finance Request:** Mr. Tribby's office has received requests from the DLGF for reassessment data from 2004 - 2007 for both Manatron and Proval programs (*please refer to page three, item five, "In The Matter Of Information Systems Department Issues" of the Regular Meeting minutes dated August 20, 2007*). The requested information has been sent.
5. **DSL Lines For City Dispatch:** The County pays for two back-up DSL lines; one from the Criminal Justice Center E-911 Dispatch to the downtown server, and one from the KPD Dispatch to the server. The County has been paying this bill for the last several years. At the conclusion of discussion, a motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to authorize the Auditor to invoice the City for the backup E-911 DSL line for the last nine months, and re-bill the City for future bills.

IN THE MATTER OF THE AGREEMENT WITH DIMENSIONS:

During the September 4th meeting, an Addendum with Dimensions Architectural Firm, for the schematic drawings for the EMA Reconstruction, was approved (*please refer to page five, item one, "In The Matter Of County Attorney Issues" of the Regular Meeting minutes dated September 4, 2007*). A signed copy, with the suggested changes, has been received and will be filed in the Auditor's Office.

IN THE MATTER OF THE PROOF OF LOSS REGARDING THE EMA FIRE:

Attorney Larry Murrell submitted the Proof Of Loss of Business Personal Property and extra expenses statement, concerning the Emergency Management Agency Building fire. When this statement is approved and returned, the Insurance Company will send a check in the amount of \$150,283.00. A motion was made by Mr. Bagwell to approve the Proof of Loss of Business Personal Property and extra expenses related to that personal property, 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 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 September 21 and 28, 2007, in the amount of \$313,019.77 each, were approved on a motion made by Mr. Trine and seconded by Mr. Bagwell.
2. **Commissioner Operating Claims:** Operating Claims payable September 17, 2007, in amount of \$750,712.60, were approved for payment on a motion made by Mr. Bagwell and seconded by Mr. Trine.
3. **Treasurer's Monthly Report:** The Treasurer's monthly report for the month ending August 31, 2007, was accepted on a motion made by Mr. Trine and seconded by Mr. Bagwell.
4. **Dimensions Inc. Invoice:** Commissioner Bagwell submitted an invoice from Dimensions, Inc., in the amount of \$10,065.00 for the Schematic Design Phase of the Emergency Management Agency Reconstruction. This invoice will be paid by the Insurance Company for "Other Costs". A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the invoice from Dimensions, Inc., in the amount of \$10,065.00, and forward the invoice to the Emergency Management Office, for submission to Selective Insurance Company.

IN THE MATTER OF ATTORNEY ISSUES:

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

1. **Barnes & Thornburg Invoice:** This invoice, in the amount of \$9,068.59, is for fees associated with Delphi Bankruptcy matters. This invoice is approved for payment on a motion made by Mr. Bagwell and seconded by Mr. Trine.
2. **Integrity Invoice:** An invoice from Integrity Communications is submitted in the amount of \$10,602.00, for services rendered for the Sprint/Nextel Rebanding Project. This invoice needs to be approved by the Board of Commissioners and forwarded to Sprint/Nextel for payment. An Incumbent Acknowledgement

Form is included, requiring Board signature. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the Integrity invoice in the amount of \$10,602.00, authorize the President to sign the Incumbent Acknowledgement Form on behalf of the Board of Commissioners, and forward the form and invoice to Sprint/Nextel for payment.

3. **Howard Haven Legal Issues:** Mr. Murrell would like to meet with Howard Haven Superintendent Kelly Spidell and Commissioner Trine concerning several legal matters and other issues regarding the County Home.

IN THE MATTER OF COMMISSIONER ISSUES:

1. **Coca Cola's 100th Anniversary:** In honor of Coca Cola's 100th Anniversary, Commissioner Bagwell submitted a Certificate of Recognition, for Board approval. A motion was made by Mr. Bagwell to approve the Certificate of Recognition to Coca Cola to commemorate their 100th anniversary. The motion was seconded by Mr. Trine and carried. Mr. Bagwell will present this Certificate to Coca Cola.
2. **Resolution No. 2007-BCCR-25:** Mr. Raver presented Resolution No. 2007-BCCR-25, a resolution of the Howard County Board of Commissioners in support of a combined Economic Group to coordinate Economic Development activities in Howard County. Mr. Bagwell gave a brief explanation of this resolution, commenting that the intent is to support the umbrella group, but not penalize groups that choose not to join the umbrella group. The Board of Commissioners recommends the following:

"Any of these five development organizations who join the umbrella group during 2008 may assign their 2008 EDIT grant (or the remainder thereof) to the umbrella group. Any organization not joining the umbrella group during 2008 may retain and use their 2008 EDIT grant, but are encouraged to maintain a meaningful line of communication with the umbrella group, and with the Board, as a condition to receiving EDIT funds after 2008. The Board will determine during 2008 whether and to what extent any of these five organizations individually, (i.e., apart from any umbrella group) should, based upon their effectiveness, receive EDIT funds in 2009."

The existing Economic Development Organizations being supported, and the amounts proposed for the 2008 Budget, are listed as follows:

Kokomo/Howard County Development Corporation	\$20,000.00
Small Business Development Corporation	\$ 5,000.00
Downtown Association	\$ 5,000.00
Chamber of Commerce	\$ 5,000.00
Inventrek	\$10,000.00

Furthermore, the Board of Commissioners would reserve additional EDIT funds for projects that meet with Board approval, on a case by case basis. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve Resolution No. 2007-BCCR-25. The Board of Commissioners was very clear concerning giving "support with accountability" to the Economic Development Organizations. This resolution will be forwarded to the Howard County Council.

3. **Soil & Water Minutes:** The minutes of the Soil & Water meeting were submitted.
4. **Migrant Housing Grant:** Grant Administrator Tina Mendenhall Henderson submitted an IHFA letter for the completion of the Migrant Housing Grant, for housing at the Hainlen Orchard. This Grant is now closed.
5. **INDOT Quarterly Report:** The Quarterly Report from the Indiana Department of Transportation is submitted and given to Commissioner Bagwell. This report gives updates on several current projects located in Howard County. Mr. Bagwell reported that he was part of a meeting between American Structurepoint and INDOT, concerning an abandoned railroad track on County Road 400 North. It is up to the Railroad Company whether the tracks would be "abandoned" or "taken out of service". If the Railroad Company abandons the tracks, the rails would be removed and converted to "Rails for Trails".

If the tracks are considered, "taken out of service", the County would be responsible to build a bridge over the tracks, at their expense.

6. **Weather Closing Information:** Mr. Raver received a letter from the radio stations concerning weather closing information. The letter is signed by the Commissioners and will be returned with the requested information.
7. **Community Corrections Renovation:** The Community Corrections Office Renovation Project has been completed.

There being no further business to come before the Board at this time, the meeting was adjourned at 10:25 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 Commissioner Meeting September 17, 2007