

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING JUNE 4, 2007

The Howard County Board of Commissioners met in Regular Session on Monday, June 4, 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 APPROVAL OF MINUTES:

The minutes of the May 21, 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 presented the following issues for Commissioner information and approval:

1. **School Bus Turn Around:** An Agreement For School Bus Turn Around was submitted on behalf of Northwestern School Corporation to be constructed at 1148 North County Road 700 West, Kokomo, Indiana, owned by Norman Sinnamon. The School Bus Turn Around was approved, pending the approval of Mr. Cain, on a motion made by Mr. Bagwell and seconded by Mr. Trine.
2. **Time Off:** Mr. Cain informed the Board that he would not be attending the next two Commissioner Meetings because of scheduled time off.
3. **Encroachment Of Right-Of-Way:** Mr. Raver informed Mr. Cain that he had received a phone call from Mr. Mark Pierson concerning an Encroachment in a Right-Of-Way for the purpose of a septic field. Mr. Cain is aware of the encroachment and has spoken to Mr. Pierson. If the Encroachment request is brought to the Board of Commissioners during a meeting that Mr. Cain does not attend, and the Commissioners have questions, he asked that the Board would take the request under advisement for Mr. Cain's review.

IN THE MATTER OF DEMOLITION QUOTES FOR THE DESTROYED EMA BUILDING:

Director of the Emergency Management Agency, Larry Smith, submitted Quotes for the demolition of the Emergency Management building that was destroyed by fire. He informed the Board that half of the equipment that was stored in the building was able to be salvaged and that, currently, vehicle repairs are being completed at the County Highway Department's Garage. Selective Insurance and Mr. Smith solicited and received quotes for demolition of the buildings from Feightner Excavating, Inc. with the lowest quote of \$22,500.00, and Rice Tree Co. Inc. quoting \$26,000. Mr. Smith advised the board that Feightner's quote was the lowest responsive and responsible quote. Though the exact insurance settlement figures have not yet been received, the Insurance Company did assure Mr. Smith that they would pay for the cost of demolition. Attorney Larry Murrell would like the quote to include the completion date, as well as to state that the payment of the claim would reflect the normal claim procedure at the completion of the project. Highway Engineer Ted Cain expressed concern that demolition equipment not impede the Highway Department's travel needs. Discussion ensued concerning the loss of the building and equipment and the need to begin reconstruction as quickly as possible. A motion was made by Mr. Bagwell to declare this an emergency situation according to Indiana Code 36-1-12-9, and to acknowledge the two quotes received, accepting the lowest and most responsive quote from Feightner Excavating Inc. in the amount of \$22,500.00, with the following additions: "Demolition not to impede the Highway Department's travel needs" and "Upon completion, subject to statutory claims procedure with an estimated completion date of June 22, 2007". The motion was seconded by Mr. Trine and carried.

The Commissioners directed Mr. Smith to talk with the Insurance Company concerning consultation services provided by them, and proceed on their advice.

IN THE MATTER OF SHERIFF DEPARTMENT CLAIMS:

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

1. **Current Jail Population:** The current population is three hundred thirty three (333) inmates; forty-four (44) are females. Last week the population peaked at three hundred sixty-nine (369) inmates. That figure is two inmates away from the current record population amount. The Sheriff voiced concern for the need for additional room to house the inmates, as well as additional inmate supplies such as food and clothing.
2. **Knox County Open House:** Knox County has completed their new jail facility and will be hosting an Open House June 7, 2007. Mr. Talbert would like to invite the Commissioners to attend. The Knox County design is similar to the design for facilities in Marshall and Miami Counties. Sheriff Talbert reminded the Board that additional room for female inmates is needed, as well as dormitory style housing for low risk inmates and inmate workers.
3. **Damage To Trade-In Vehicle:** One of the vehicles that was to be used as a trade-in at Bloomington Ford was heavily damaged, this morning, in a vehicle/deer collision. It has not yet been determined if the car will be repaired, or totaled by the Insurance Company. This will change the terms of the Agreement with Bloomington Ford and Sheriff Talbert will keep the Board informed.
4. **New K-9 Handler For Kanto:** Deputy Mike Ogle has left for Iraq. The new K-9 handler for Kanto is Officer Paul Cherry. Training for Mr. Cherry begins June 11th, at a cost of \$4,000.00. A kennel will be installed at Mr. Cherry's home. Kanto will be back in service in six to eight weeks.
5. **Radio System On New Tower:** The storms that came through Howard County over the weekend had a lot of electrical activity. The new tower performed flawlessly.
6. **Fallen Officer Blood Drive:** A blood drive is being sponsored by Indiana "COPS" in honor of fallen officers, in Howard County on Tuesday, June 19, 2007. Every donor will receive a free t-shirt and door prizes will be awarded. Sheriff Talbert would like permission to distribute flyers through the payroll checks and display posters and County owned buildings. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to authorize the placement of flyers in the employee payroll checks, and allow posters to be displayed in the County owned buildings. The drive will be held at Kokomo 1st Church of the Nazarene.

IN THE MATTER OF PLAN COMMISSION DEPARTMENT ISSUES:

Plan Commissioner Glen Boise submitted the following items for Commissioner information and approval:

1. **Case 5-CP-07:** One lot in Hubbard Subdivision located at 656 South County Road 900 East, is approved on a motion made by Mr. Bagwell and seconded by Mr. Trine.
2. **Ordinance No. 2007-BCCO-23:** Ordinance No. 2007-BCCO-23 is a request to rezone property located at 2500 East Markland from R-1 (Residential) to B-1 (Local Business). This request received a favorable recommendation by the Plan Commission Board. Ordinance No. 2007-BCCO-23 is approved on a motion made by Mr. Trine and seconded by Mr. Bagwell.
3. **Ordinance No. 2007-BCCO-22:** This Ordinance is a request to reduce the Speed Limit on road pertaining to County Road 580 West from County Road 400 South / State Road 26 / to County Road 500 South / State Road 26, from 55 miles per hour to 50 miles per hour. New homes have recently been constructed in this section of the road. Ordinance No. 2007-BCCO-22 is approved on a motion made by Mr. Trine and seconded by Mr. Bagwell.
4. **Unsafe Building In West Liberty:** Mr. Boise has begun the Unsafe Building Process for property located at 320 South County Road 1250 East, by sending an Enforcement Letter to the owner who resides in Texas. No response has been received to date. An Enforcement Letter has also been sent to the owner of the property located at 300 South County Road 475 East.
5. **Flood Mitigation:** At the May 21st Commissioner Meeting, Mr. Boise informed the Board that monies could be available to contribute to the purchase of the flooded property at 2700 Dellwood (*please refer to page two, item one, "In The Matter Of Plan Commission Issues", of the Regular Meeting Minutes*

dated May 21, 2007). Mr. Boise and Mr. Murrell are still reviewing costs and In Kind matches for funds to purchase this property.

IN THE MATTER OF MAINTENANCE DEPARTMENT ISSUES:

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

1. **Festival Requests:** Mr. Fross has received information and requests concerning the following festivities:

Strawberry Festival / Downtown Association	June 7 th	11:00 a.m. to 3:00 p.m.
Ribfest / Carver Center	June 16 th	
Haynes / Apperson Festival	June 29 - 30	

During the Strawberry Festival, Walnut and Main Streets will be closed. For the Ribfest and Haynes/Apperson Festival, the streets around the Courthouse will be closed.

2. **HVAC Compressor Leak:** When the new HVAC Compressor was tested, a gasket leak was found. The compressor will be shut down until the new gasket is received and installed.
3. **New Key Boxes:** Mr. Fross introduced Assistant Fire Chief, Brad Myers. Chief Myers submitted a "Knox Box", a weatherproof, UL approved box replacement for the lock box currently used to hold building keys to be made accessible for the Emergency Agencies. The current boxes used are easy to tamper with and gain access to the keys inside. The mandated "Knox Box" is recommended by the International Fire Code, for facilities that are not open around the clock. Chief Myers presented a "Knox Box" for the Commissioners' inspection. The cost of the box is \$239.00 for the standard black box, and \$249.00 for the bronze colored box. The Maintenance Department will do the installation. Mr. Fross requests authorization to purchase three "Knox Boxes" for replacement to the current lock boxes of the three County Government buildings downtown. It was recommended by Commissioner Bagwell that boxes also be purchased for the EMA Building (when constructed) and the Highway Building. A motion was made by Mr. Trine, seconded by Mr. Bagwell and carried to approve the purchase and replacement of five (5) boxes.
4. **Pending Service Agreement:** The Emergency Tower generator service agreement from MacAllister Machinery is still pending.
5. **Emergency Tower Fencing:** Mr. Fross submitted paperwork for Commissioners' signature for the fencing to be installed around the New Emergency Tower. A request for an additional \$5,000.00 dollars to the Cumulative Capital Fund will be forwarded to the County Council.
6. **Community Corrections Office Remodeling:** Mr. Fross was asked to write specifications for the remodeling project of the Community Corrections Offices at the Government Center, to be attached to the Invitation to Quote. Mr. Murrell needs the Board to authorize the Invitation to Quote and set the dates for receipt and opening of quotes. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the Invitation to Quote and set the receipt date of 3:00 p.m., June 15, 2007, to be opened at 9:00 a.m., June 18, 2007.
7. **Jansen Paving / Sealing Contract:** Attorney Murrell informed the Board that he has made the following changes or additions to the proposed agreement:

Completion date of July 31, 2007
Payment Schedule 45 days, subject to County's Claim Procedure

A motion was made by Mr. Bagwell to accept the paving and sealing Agreement with Jansen's Asphalt and Sealing for the sealing of the parking lot located on the corner of Main and Mulberry Streets, with the above mentioned changes. The motion was seconded by Mr. Trine and carried.

8. **New Centrex Contract:** The final copy of the new Centrex Contract with A T & T for the Courthouse phone system has not yet been received.

9. **Storage Space Needed By Clerk's Office:** Commissioner Raver is in receipt of an e-mail from the Clerk's Office requesting storage space for 100 boxes. Mr. Fross also received the request and does not know of space available at this time. They will be discussing options.

IN THE MATTER OF THE ADVANCED LIFE SUPPORT RESPONSE AGREEMENT:

Laurie Melton, Manager of Emergency Services at Howard Regional Hospital and Monette Allen, Manager of Emergency Services at St. Joseph Hospital, were in attendance to answer questions concerning the proposals previously submitted by both hospitals. Commissioner Bagwell asked both representatives what had changed since the new boundaries were put into effect. In response to the question, Ms. Allen presented information concerning an incident that happened September 29, 2006. A run was made, in conjunction with Howard Regional, to the intersection of County Road 400 North and 900 East, a part of the area given to St. Joe Hospital during the interim preceding the final decision (D100). Howard Regional was dispatched into this area that was assigned to St. Joe, for the interim. St. Joe was dispatched two minutes later but arrived two minutes prior to Howard Regional. Those response times were verified by Dispatch.

Ms. Allen expressed appreciation for the opportunity for dialogue with other health care providers to discuss what is best for the community. The media displays the issue as "...win - lose; it's only a lose if we don't make the right decision for the community". Commissioner Raver expressed appreciation, on behalf of the County, for two hospitals that are on the cutting edge of a lot of issues including quality of staff and ambulances.

Commissioner Bagwell believes that Commissioner Trine needs to have more time and more information to digest the issues involved in this situation.

When asked by Commissioner Trine how the roadwork on Dixon is affecting EMS response, both hospitals agreed responding to calls north of Markland were impacted and often required extra time. Several other items were discussed.

Mr. Larry Ives spoke to the Opticom Program that is being considered. The lights on 31 Bypass are now equipped with transmitters. Mr. Ives is in the process of writing a proposal for equipment in Emergency vehicles, for control during an emergency. This could also effect Emergency vehicle response times.

At the conclusion of discussion, a motion was made by Mr. Bagwell to take the Advanced Life Support Ambulance Response issue under advisement. The motion was seconded by Mr. Trine and carried. The Board will contact the Health Facilities concerning their decision.

IN THE MATTER OF PERSONNEL DEPARTMENT ISSUES:

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

1. **PAC Recommendation For Howard Haven Superintendent:** Ms. McKillip introduced Ms. Kelly Spidell to the Board of Commissioners. Ms. Spidell is the PAC Committee's recommendation to finish the Superintendent's appointed position at Howard Haven. She has served Howard Haven in a part time position. Ms. Spidell greeted the Board of Commissioners and expressed her excitement to have the opportunity to serve the residents and work with the staff in this manner. Commissioner Trine is the Board representative for Howard Haven and made a motion to appoint Ms. Kelly Spidell to the position of Superintendent for Howard Haven to complete the term that expires February 29, 2008. The motion was seconded by Mr. Bagwell and carried.

Ms. McKillip also introduced Ms. Linda Erb who was appointed Assistant Superintendent prior to the resignation of Tom Tolen, former Superintendent.

2. **Appointments To Howard Regional Board Of Trustees:** Mr. Raver has talked to Mr. Tom Hilligoss concerning reappointment to the Board of Trustees. Mr. Hilligoss has agreed to serve another term. Mr. Bagwell contacted Dr. Lynette Hazelbaker as to her interest in serving another term on the Board. She also consented to serve another term, if appointed. On a motion made by Mr. Bagwell and seconded by Mr. Trine, Mr. Tom Hilligoss and Dr. Lynette Hazelbaker were reappointed to serve of the Board of Trustees for Howard Regional Health Systems for a term that expires June 30, 2011.

IN THE MATTER OF INFORMATION SYSTEMS DEPARTMENT:

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

1. **The County's Wireless Project:** Mr. Tribby tries to keep the Board informed, via e-mail, as to the advances of the Wireless Connectivity Project for the County. Mr. Tribby met with the Kokomo Police Department concerning their desire, back in October of 2006, to access the Dispatch network in a way that was different than the original design. After several months of working around problems with firewalls, etc., the system is now working. All officers are able to access IDACS and Dispatch records through their vehicles' computer systems. Mr. Tribby met with KPD, last week, to discuss the challenge of having to work with two different servers. The County has to allow KPD to log into the County (Safety) Server to access the IDACS information but the County does not have access to the City's IDACS. As a result of the meeting, the City has given the County (Safety) access to their server for IDACS records. Mr. Tribby is positive, but understands it is a "clumsy way of doing it". Both server screens will have to be displayed. Both he and E-911 Coordinator Tony Ramsey are working on trying to consolidate both agencies onto **ONE** server.
2. **Johanning Connection:** The Information Systems Department plans to connect Johanning Civic Center on Wednesday.

IN THE MATTER OF THE GOVERNMENTAL COORDINATING COUNCIL:

Larry Ives, Director of the Governmental Coordinating Council, presented the following issues for Commissioner information and approval:

1. **Surveillance Contract:** County is paid \$2,300.00 per year to do certain traffic counts for the Council. The Council provides the traffic counters and equipment needed. The 2008 fiscal year begins July 1, 2007. A motion was made by Mr. Trine, seconded by Mr. Bagwell and carried to approve the 2008 fiscal year Surveillance Contract.
2. **Office Space Lease:** This proposed lease agreement raises the lease rate from \$13,000.00 to \$15,000.00 for the fiscal year 2008. The agreement has been approved by Attorney Murrell and the only change is the increase in the lease amount. The Office Space Agreement was approved on a motion made by Mr. Bagwell and seconded by Mr. Trine.

IN THE MATTER OF THE JOHANNING CIVIC CENTER:

Chairman of the Kokomo Automotive Heritage Museum / Johanning Civic Center Board Dwight Singer and the Center's Executive Director Kelli Austin were in attendance to report on the Purpose and Future Direction of the Museum / Center. There are currently ninety-four (94) cars in the museum at this time. Of that number, 40% are Pioneer Auto Club Member vehicles. Of the 94 cars, ten (10) are owned by the by the Museum; the Museum retains the title to the cars. This is a quality museum and not just a display space for cars. The Museum experienced a reduction of costs in the amount of \$88,000.00 from 2003 to 2006. They are working hard to continue to reduce the operating costs. Mr. Singer continued to mention some of the problems that plague the Center, such as roofing problems, an outdated security system, HVAC concerns and exterior panel decay.

Ms. Austin then presented information concerning projects and improvements made by the Civic Center. The Civic Center did hire an intern to work on an educational project. Event-pro Software has been installed and is being used successfully. They are conducting training for staff members on promoting Kokomo as a historic community. Ms. Austin is spending less time in outside promotions and more time marketing the building. She is busy resolving customer service issues. More rental items are available to compliment rental of the facility, such as table candles, greenery, etc. and food service. Many specific events were presented to the Board for their information. She reminded the Board that the Vision of the Center is *"To be the premier conference center in north central Indiana known for its integrated architecturally distinctive and branded meeting/exhibition space, hospitality services and auto-themed presence, and driven to success through our strong partnerships and marketing and programming prowess."* She is very happy with their progress.

President Raver expressed appreciation to Mr. Singer and Ms. Austin for their hard work and excellent progress.

IN THE MATTER OF COUNTY SANITARY PROJECTS:

Mr. John Caton of Fleis & Vandenbrink Engineering, Inc. was in attendance to update the Board concerning progress of the sanitary projects of Howard County. Mr. Caton reminded the Board that the number one priority of the County is the Darrough Chapel area. That area has several residential dwellings with failing septic systems. The County has requested that the sponsorship of the project be transferred to the Taylor Township Regional Sewer District. The Sewer District can make application for rural development financing with grants available. The City or County cannot apply for those grants. The problem is that Taylor Regional Sewer District is having cash flow issues because they are not able to fully collect monthly payments from existing service holders. This restricts them from paying back their loans, thus prohibiting proof of financial capability. This cripples their ability to obtain future grants and loans. Mr. Caton has met with staff and selected members of the Commission. Their recommendation is to encourage the Board of Commissioners and their professional staff, to "...exercise all of the legal and administrative resources that the County has available to assist Taylor Township in the collection of those funds." Funds are available for the design and construction of the Darrough Chapel Project, but are being held until the current problems with Taylor Township are resolved.

County Attorney Murrell recommends the Board find funds to hire an attorney or pay the existing attorney to pursue collections. At the conclusion of ensuing discussion, Mr. Murrell was directed by the Board to obtain an estimate of the cost to hire legal help to assist in collections. Mr. Murrell will have an estimate ready to present at the June 18th meeting.

Mr. Caton complimented Mr. Russell Adair for his work for the Taylor Township Regional Sewer District.

IN THE MATTER OF CLAIMS AND REPORTS:

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

1. **Commissioner Salary Claims:** Salary, hourly and overtime claims payable June 8 and June 15, 2007, in the amount of \$313,019.77 each was approved on a motion made by Mr. Trine and seconded by Mr. Bagwell.
2. **Commissioner Operating Claims:** Operating Claims payable June 4, 2007, in the amount of \$472,064.51 were approved on a motion made by Mr. Bagwell and seconded by Mr. Trine.

IN THE MATTER OF COMMISSIONER ISSUES:

1. **Delphi Proclamation:** Delphi has declared the week of June 11th as Excellence Week. Historically, the Howard County Board of Commissioners issues a proclamation in recognition of Excellence Week at Delphi Electronics. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried "...to proclaim the week of June 11, 2007 as Excellence Week in Howard County, Indiana and encourage all citizens of Howard County to strive for Excellence in all that they do." Mr. Raver will be presenting the Proclamation to Delphi this Friday.
2. **Invitation To "Issues For Local Government" Workshop:** Mr. Raver presented an invitation from the Extension Office to a free workshop entitled, "Recap of the 2007 General Assembly: Issues for Local Government". It will be held Monday, June 18, 2007 from 2:00 to 4:00 p.m. in Room 101 of the Government Center.
3. **Estimate From Pickering Excavating:** The Maintenance Department is in receipt of an estimate from Pickering Excavating for the removal of a storage tank at Howard Haven, filling of the hole, and installation of the sidewalk with drainage capabilities, in the amount of \$10,590.00 (*please refer to page five, item number one of the Regular Meeting minutes dated May 21, 2007*). Mr. Fross also obtained a proposal from Kokomo Glass for handicapped accessible doors for the front entrance of Howard Haven. A motion was made by Mr. Bagwell to authorize a request of \$10,600.00 from the Cumulative Capital Fund for the removal of a storage tank and repair of the sidewalk at Howard Haven, and forward the request to the County Council. The motion was seconded by Mr. Trine and carried.
4. **Skateboard Damage To County Property:** The Maintenance Department informed the Board of Commissioners concerning damage done to the Courthouse and the parking lot on the corner of Mulberry

and Buckeye Streets, from skateboarding. Mr. Murrell reminded the Board that there is an ordinance in place and signs should be posted and names collected for possible prosecution.

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

County Attorney Larry Murrell submitted the following issues for Commissioner information and approval:

1. **Keller & Heckman Invoice:** Mr. Murrell submitted an invoice from Keller & Heckman for rebanding services in the amount of \$70.00. The invoice was approved for submission to Sprint/Nextel on a motion made by Mr. Bagwell and seconded by Mr. Trine.
2. **Invoices From Brian Oaks And Mark Griffin:** Mr. Oaks did contracted work for the County regarding tax sale issues for the American Legion and Green Tree Servicing, in the amount of \$1,425.32.

Mr. Mark Griffin submitted an invoice in the amount of \$235.00, for services regarding Green Tree Servicing.

A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the invoices from Brian Oaks, in the amount of \$1,425.32 and the invoice from Mark Griffin, in the amount of \$235.00, to be paid from the Commissioners' Contract Services line item.

3. **Invoice For New London Rate Study:** The Russiaville Town Council is moving forward with a Rate Study for New London only, concerning the acquisition of the New London Conservancy District. Because the Board of Commissioners agreed to share legal expenses with Russiaville on this project, not to exceed total fees of \$10,000.00, Attorney Corbin King is asking for the amount of \$4,500.00 as the County's share of the expense. The Town of Russiaville will be responsible for the remaining \$4,500.00. A motion was made by Mr. Trine, seconded by Mr. Bagwell and carried to approve the 50% share of the fees for the rate study for the Town of Russiaville, in the amount of \$4,500.00.
4. **Criminal Justice Coordinating Commission Meeting:** The Criminal Justice Coordinating Committee Meeting on June 19, 2007. One of the major items of discussion is Courthouse Security. Mr. Murrell feels and Executive Session would be in order, before the meeting, to discuss Courthouse Security. The Board agreed by consensus. Mr. Murrell will publicize the meeting.

Appraiser Robert Roler brought to the Board's attention a possible right-of-way infraction in Wickersham Addition. The Board thanked Mr. Roler for bringing it to their attention.

There being no further information to come before the Board of Commissioners at this time, the meeting was adjourned at 11:10 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 Commissioner Meeting June 4, 2007