

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING MAY 19, 2008

The Howard County Board of Commissioners met in Regular Session on Monday, May 19, 2008 at 8:30 a.m. in Hearing Room No. 338 of the Howard County Administration Center. Those in attendance included President Bradley J. Bagwell, Vice President David A. Trine and Member Paul J. Raver. Also present were County Attorney Larry Murrell and Auditor Ann Wells.

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

IN THE MATTER OF APPROVAL OF MINUTES:

The minutes of the Regular meeting dated May 5, 2008 were previously submitted and reviewed. Mr. Raver directed the Board to page seven, "In The Matter Of Emergency Medical Transport Boundaries:", and asked that the minutes be amended to change the spelling of Derr to "**Durr**". A motion was made by Mr. Trine, seconded by Mr. Raver and carried to approve the minutes as amended.

IN THE MATTER OF HIGHWAY DEPARTMENT ISSUES:

Highway Department Superintendent Ted Cain submitted the following issues for Board information and approval:

1. **Additional Appropriations Requests:** Mr. Cain presented Additional Appropriations requests as they are listed for submission at the May 27th Council Meeting:

<u>002</u> 22430.00	<u>Howard County Highway Fund</u> Bituminous	\$360,000.00
<u>006</u> 32250.00 33710.00	<u>Howard County Cumulative Bridge Fund</u> Repair by Contract B-501 Ohio Street	\$300,000.00 \$ 50,000.00
<u>007</u> 33761.00	<u>Howard County Local Road & Street</u> Morgan Street, US-31 to Touby Pike	\$100,000.00

During discussion, Commissioner Bagwell informed Mr. Cain that he has sent Requests for Earmarks to Congressmen Donnelly and Burton, and Senator Lugar for the three interchange projects: Morgan Street from Touby Pike to the US-31 interchange, Morgan Street from the present 31-Bypass to Touby Pike and Boulevard Street from Goyer Road to the US-31 interchange.

2. **Bid Accepted For Ohio Street Bridge Work:** The Ohio Street Bridge 501 Project has been let to R. L. McCoy, for the amount of \$979,362.95. Twenty percent of that amount is due to the State (\$195,872.59) and Mr. Cain is expecting an invoice any day. When it is received the money needs to be sent to the Indiana Department of Transportation and Mr. Cain asks that it be determined an Emergency claim according to Ordinance No. 2005-BCC-60, to be released for early payment. A motion was made by Mr. Raver, seconded by Mr. Trine and carried to declare the claim an emergency claim and approve payment as soon as the invoice is received.
3. **Construction Inspection Costs:** The inspection costs are \$146,904.44 and payment for those costs are required up front. The County will be reimbursed 80% of the inspection costs.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

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

1. **Jail Population:** The current inmate population is three hundred forty-nine (349) with fifty-nine (59) being females.
2. **Annual Inspection:** The Annual Inspection held on May 15th, went well. Sheriff Talbert expressed appreciation to all the Commissioners and Council members who were able to attend.

3. **Software From Lieberman Technologies:** There is a high increase in Tax Warrants and foreclosure sales that increases the work load of the clerical staff at the Sheriff's Department. Lieberman Technologies has a software package that can assist with the preparation of tax warrants and Sheriff Sales, as well as the cashbook. The software has been approved by the State Board of Accounts and is currently being used in thirty-four other counties across the State. Information Systems Director Terry Tribby has reviewed the program and believes it would be highly beneficial and would provide a necessary back-up system for records. The software costs \$8,000.00: Sheriff Talbert will take \$4,000.00 from the Commissary Account and Mr. Tribby will contribute \$4,000.00 from his software fund. Sheriff Talbert submitted a copy of the contract for Attorney Murrell's review. A motion was made by Mr. Raver, seconded by Mr. Trine and carried to approve the purchase of software from Lieberman Technologies per Mr. Murrell's review and authorize the President to sign on behalf of the Board of Commissioners.

4. **Deputy Returns From Iraq:** Deputy Mike Ogle has come home from service in Iraq and will be returning to the Sheriff's Department. Sheriff Talbert would like to reassign him as a K9 handler to a new K9. The next K9 training will be in July or August. The Sheriff's Department received funds from the Prosecutor's Office that can be applied to the project. Sheriff Talbert would like to purchase an additional K9 truck that he has found from Erik's Chevrolet, in the amount of \$25,566.98. The vehicle will be paid for with funds from the vehicle line item in the Cum Cap account. The truck needed a slider rear window and Erik's installed one at no additional charge. A motion was made by Mr. Trine, seconded by Mr. Raver and carried to approve the purchase of a 2008 four wheel drive Chevrolet extended cab truck, in the amount of \$25,566.98.

5. **Lap Top Computer Purchase Request:** Lieutenant Jerry Asher stepped to the podium to request the purchase of seven (7) lap top computers from Dell in the amount of \$9,994.32. These computers are the sturdy built computers for the Sheriff vehicles. A motion was made by Mr. Trine to approve the purchase of seven lap top computers from Dell in the amount of \$9,994.32. The motion was seconded by Mr. Raver and carried.

IN THE MATTER OF PLAN COMMISSION ISSUES:

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

1. **West Liberty Property:** The property located at 12541 East County Road 332 South has not yet received its final inspection.

2. **Grant Approval From FEMA:** The Plan Commission has not been contacted by FEMA, concerning the Grant approval for the Dellwood Property (*please refer to page two, item one, "In The Matter Of Plan Commission Department Issues" of the Regular Meeting dated April 7, 2008*).

3. **Lawsuit Filed Against Plan Commission:** Mr. Boise informed the Board of Commissioners that a lawsuit has been filed by Roy Taylor and Henry Taylor (*please refer to pages one and two, item two, "In The Matter of Highway Department Issues" of the Regular Meeting minutes dated April 21, 2008*). Because the lawsuit has been filed it is up to the Court to make a decision. Mr. Murrell advised the Board of Commissioners that no further action by the board is required. Both Mr. Roy Taylor and Mr. Henry Taylor were present at the meeting and asked permission to speak. Mr. Bagwell informed them that if they wish to speak concerning the issue related to the lawsuit, it was inappropriate in this setting. All decisions must now be made by the Court. No further action was taken.

4. **Unsafe Property On Alto Road:** Commissioner Bagwell asked that Mr. Boise inspect an unsafe property located at 1001 E Alto Road (not to be confused with the property located at 914 Alto Road).

IN THE MATTER OF MAINTENANCE DEPARTMENT ISSUES:

Buildings and Grounds Superintendent Art Fross presented the following issues for Commissioners' information and approval:

1. **Cooling Tower Removal From Administration Center:** Mr. Fross informed the Board of Commissioners that on May 10th, two cooling towers were removed from the roof of the Administration Center and replaced with new units. The crane arrived at 7:30 a.m. to remove the towers and the process proceeded like clockwork. The air conditioning is working effectively. Mr. Fross publicly thanked Ted Cain for the use of the Highway Department's trailer to haul the old cooling towers to Omni Source to be sold as scrap metal. When the check comes for the metal it will be turned over to the Auditor's Office.
2. **Dishwasher Repair At County Home:** A new pump has been ordered and will be installed in the dishwasher at the County Home. Mr. Fross gave direction to the Home that the life of the dishwasher will be increased if the utensils are cleared of debris before putting into the dishwasher.
3. **Painting Request:** Mr. Fross received a request from Mr. Kent Weaver of the Health Department, to have his office repainted. The Maintenance Department had paint on hand and was able to satisfy the request.
4. **Fire Inspection Service:** Mr. Fross no longer has an agreement for fire inspection service with Koorsen, except for monitoring service of the three downtown County buildings. The County now uses Elwood Fire and Safety and Mr. Fross is satisfied with their service. They also service Kinsey Youth Center on a separate agreement.
5. **Request For Use Of County Parking Lot:** Mr. Raver is in receipt of a request from Pastor Dwight Hobson of Joyful Noise Music Store for use of the County owned parking lot on the corner of Mulberry and Buckeye Streets for a concert on Saturday, June 14, 2008. Mr. Hobson has submitted a Certificate of Insurance and Mr. Murrell has reviewed the Certificate and found it in order. A motion was made Mr. Raver, seconded by Mr. Trine and carried to approve the request for use of the parking lot on the corner of Mulberry and Buckeye Streets by Joyful Noise Music Store on Saturday, June 14, 2008.
6. **Electrical System For National Day Of Prayer:** The Committee for the National Day of Prayer was not able to use the electrical box close to the Courthouse so the Maintenance Department was able to help them hook their PA system to the Courthouse. They were not able to use electricity for their musical instruments. The electrical box at the North light will need repairs.
7. **Padded Cell At Kinsey Youth Center:** The old padding in the padded cell at Kinsey Youth Center was torn out by their maintenance people. Padded Surfaces came and installed new padding for the cell, in the amount of \$21,445.00. Kinsey was able to save \$3,000.00 by tearing out the old padding themselves.

IN THE MATTER OF PERSONNEL DEPARTMENT ISSUES:

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

1. **FMLA Log:** Having been previously submitted and reviewed by the Board of Commissioners, the FMLA log was confirmed on a motion made by Mr. Trine and seconded by Mr. Raver.
2. **Lafayette Life Insurance Policies:** Life Insurance policy packets will be distributed to the County employees through the Department mail boxes, this week.
3. **County Phone Listing:** At Mr. Raver's request the Personnel Office is currently working on preparation of an exhaustive list of the Counties phone lines and numbers.
4. **Resignation At Howard Haven:** Howard Haven Superintendent Kelly Spidell has tendered her resignation effective immediately. The Personnel Office has received several phone calls and resumes for the open position. There is need for an interim appointment. A motion was made by Mr. Trine, seconded by Mr. Raver and carried to appoint Ms. Jennifer Vary as Interim Superintendent until such a time as a new Superintendent is appointed.
5. **Medical Insurance Committee Report:** Mr. Raver submitted copies of the 2007 Monthly Group Medical Financial Report and reviewed them with the Board of Commissioners. The estimated fund balance in February, 2007 was \$2,692,757.16 and the estimated fund balance in January, 2008 was

\$2,806.133.19, experiencing a small increase. Ms. McKillip reported on the Insurance Committee's review of a Voluntary insurance package for full-time part-time workers. A full report will be given at a future Commissioner Meeting.

IN THE MATTER OF INFORMATION SYSTEMS DEPARTMENT ISSUES:

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

1. **Website Hits On Election Day:** Mr. Tribby informed the Board for a total of two days around the Primary Election Day there were about 53,000 hits on the County's website. The system handled the load very well.
2. **Thank You Note Received:** When the County's Dangerous Animal Ordinance was put on the Website, the Information Systems Department included a picture of a Rottweiler. Their office received a complaint from the Hoosier Rottweiler Association. Mr. Tribby's department removed the Rottweiler picture and submitted a picture of an American Beagle, winner of the AKC Kennel Club Dog of the Year award. Mr. Raver read the thank-you card.
3. **Remonstrance Form On County Website:** The Howard County Clerks office was receiving calls from annexation remonstrators for a thirty page form available from their office. In the interest of saving the county money from copy and mailing costs, Ms. Myers asked Mr. Tribby to put the form on the County's website, Clerk's page and the general information page, so that citizens could download the form needed. The request was for a matter of convenience and was not politically motivated. Mr. Tribby apologized for any trouble that resulted from the decision to post the form. He did state that any future requests to post sensitive materials would be submitted to the Board of Commissioners for their approval prior to posting.

Attorney Larry Murrell stated for the record and for those in attendance that many of the County's citizens are demanding assistance services from County Officials, now, for the remonstrance of annexation activities. This puts the County in a very delicate position and Mr. Murrell is researching the County's responsibilities in this complex situation. Discussion ensued. In response to the high volume of requests for help now, Mr. Murrell asked the question, "Do you want quick or do you want right?"

Auditor Wells was advised by the State Board of Accounts that the form available from the Clerks Office is not applicable to the remonstrance of annexation activities, because renters cannot remonstrate against annexation. There is not a form available for the remonstrance of annexation. The SBA recommends that remonstrance be done by neighborhoods hiring their own lawyer and remonstrating as a group in lieu of individually. The Auditor's office received Notices of Public Hearings for County owned property included in proposed annexation areas (including the Criminal Justice Center).

4. **Website Concerns:** Mr. Tribby would like to meet with each Commissioner, individually, about concerns dealing with the County's website. The main focus of the website is to provide information quickly and link them to where they need to go. Mr. Tribby would like to add to the focus by promoting Howard County through Economic Development on the County's website.
5. **Additional Computers For Adult Probation Department:** Mr. Tribby is presenting a request for the purchase of twelve additional computers on behalf of Chief Probation Officer Don Travis. Four computers with the Vista application were previously purchased and used and they worked well with their programs. He would like to purchase the additional twelve workstations. The total amount is \$11,560.32 and will be paid from the Adult Probation User Fees, pending Council appropriation. Mr. Tribby commended Mr. Travis's efforts in this process. A motion was made by Mr. Raver, seconded by Mr. Trine and carried to approve the purchase of twelve computers in the amount of \$11,560.32, pending appropriation by the Council.
6. **Letter To Comcast:** At the May 5th meeting, Attorney Murrell was directed by the Board of Commissioners to contact Comcast and inform them of the County's statutory claim process and how it is affected by their billing policy (*please refer to page seven, item two, "In the Matter Of Claims And Reports" of the Regular Meeting minutes dated 05/05/08*). Mr. Murrell informed the Board that he has

received a response from Rosa Lasiker apologizing for any inconvenience, but that they cannot resolve the issue at this time and that the letter would be forwarded to the Kokomo Director and sales staff for their consideration. The contract with Comcast, for Kinsey Youth Center is still pending, awaiting the receipt of additional documents.

7. **Annual Inspection:** Mr. Tribby attended the Sheriff's Department Annual Inspection, May 15th. In viewing the Sheriff's vehicles and speaking with the Deputies, he was very impressed with the usage of the mobile lap top computers and their Verizon cards, and how they are able to work with the computer systems to access needed information from their vehicles.

IN THE MATTER OF EMERGENCY MANAGEMENT AGENCY ISSUES:

Emergency Management Director Larry Smith presented the following issues for Commissioners' information and approval:

1. **Emergency Mass Notification System:** Mr. Smith submitted a proposal from CODESPEAR, an emergency mass notification system using reverse E911 information. Several weeks ago a presentation was made to the Emergency Management Agency from CODESPEAR outlining their weather warning and mass notification systems. The first year would cost \$25,000.00 and includes two hosted servers, unlimited SMS/Text and e-mail and 150,000 emergency callouts. The subsequent years would be \$24,150.00 for accessing the E911 system. This does not include the pricing for the weather system. The EMA felt that our monitoring system is sufficient. Discussion ensued considering the fact that the servers would not be located here, to overload our system. Also, cell phones and pagers would need to be registered to receive an emergency call. Payment of the request would need to come from E911 funds, requiring an additional appropriation request prepared for the June 2nd meeting. A motion was made by Mr. Trine to approve the proposal with CODESPEAR for their disaster mass notification system and request an additional appropriation from the E911 funds in the amount of \$25,000.00. The motion was seconded by Mr. Raver and carried.
2. **EMA Building Project:** Mr. Raver and Mr. Trine have been in contact with Dimensions Inc. concerning the financial limit we have in rebuilding the Emergency Management building. Dimensions did not have all the information presented and will need to contact Mr. Smith. Mr. Smith will call Dimensions today.

IN THE MATTER OF KINSEY YOUTH CENTER'S REQUEST FOR LICENSES FOR THEIR TIMECLOCK SYSTEM:

Kinsey Youth Center Director Brent Kelley submitted a request for sixty-five (65) licenses for their time-clock software system that is used to figure the payroll. The software was upgraded last year but the number of licenses required, were not purchased. Each license is \$20.00 with a total amount of \$1,300.00. A motion was made by Mr. Trine, seconded by Mr. Raver and carried to approve the purchase of sixty-five licenses in the amount of \$1,300.00 for the time-clock software.

IN THE MATTER OF THE CITY OF KOKOMO'S ANNEXATION INFORMATION PHONE LINE:

City of Kokomo Director of Operations Randy Morris stepped to the podium to supply the County with the following information resources:

Telephone line available 24 hours (calls will be returned): 765-456-7401
Annex Information on website: annex@cityofkokomo.org

These are information only sites. The City appreciates the County's information in the Tribune concerning remonstrance activity.

Mr. Morris continued to assure the Board that the City has made attempts to communicate annexation information to County Officials stating that they were informed in April at a meeting in the Mayor's office that had been attended by several County officials. County officials were also invited to several business meetings. Whether or not the annexation happens, House Bill 1001 has forced all of us to make some tough decisions. The City would like to meet with County Officials to discuss annexation issues more fully. President Bagwell agrees that it would be essential to meet with the City once County Officials are fully aware of how the annexation will affect the County. He also agreed that the City did notify

several County officials at the close of a meeting they attended in the Mayor's office but clarified that City officials did not sit down with County officials with the actual plans for annexation. Mr. Morris assured those present that the City is aware this will affect the County and do want to work with Howard County. He encouraged all to utilize the website and telephone number to learn more about the annexation process.

IN THE MATTER OF A QUESTION OF THE BID PROCESS FOR PEST CONTROL SERVICE:

Mr. J. R. Campbell, 231 Rainbow Drive, owner of Indiana Pest Control, asked about the bid process for services. For the last ten years Mr. Campbell has serviced Kinsey Youth Center. Mr. Bagwell responded that purchases less than \$50,000.00 are not required to go through the bidding process. This applies to purchases as opposed to services. Any contracts signed by departments of Howard County have to be approved by the Board of Commissioners and the Board has not seen a recent contract for Pest Control Services. Mr. Campbell did receive a call from Kinsey Director Brent Kelley to give verbal notification of cancellation of services. Mr. Campbell was concerned that he be on a "level playing field" with other service providers if there were a bidding process involved.

IN THE MATTER OF CLAIMS AND REPORTS:

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

1. **Commissioner Salary Claims:** The salary, hourly and overtime claims payable May 23 and 30, 2008, in the amount of \$337,929.59 each were approved on a motion made by Mr. Trine and seconded by Mr. Raver.
2. **Commissioner Operating Claims:** Operating claims payable today, in the amount of \$331,333.43, were submitted for payment. Of that amount, \$110,957.87 is being paid from County General Funds, \$66,392.00 from Jail COIT funds and \$600.39 from the Health funds. At this time, Ms. Wells informed the Board that 2007 pay 2008 tax rates were finally received last Friday afternoon. Though not ready for publication at this time, Ms. Wells is hoping to have a July 10th tax deadline. A motion was made by Mr. Trine, seconded by Mr. Raver and carried to approve the operating claims as submitted.
3. **Dimensions Claim:** Ms. Wells submitted a Dimensions Inc. contract update concerning the EMA project. There is about \$1,370.00 remaining on the contract. She also submitted an invoice in the amount of \$8,801.64 for construction documents, bidding process and reimbursable costs. The Dimensions invoice was approved on a motion made by Mr. Raver and seconded by Mr. Trine.

Because of Rebate Check issues, the April Treasurer's Report will be submitted at a later date.

IN THE MATTER OF THE CONTRACT LOG:

Attorney Murrell reviewed the Contract Log with the Board of Commissioners. He also submitted a signed copy of the tracking equipment agreement with S.T.O.P., for the Auditor's file.

IN THE MATTER OF COMMISSIONER ISSUES:

1. **Interest Free Loan To Russiaville:** Mr. Raver and Mr. Murrell presented the request for an interest free loan to Russiaville, in the amount of \$48,000.00 (not including the current \$33,000.00 outstanding loan of the Conservancy District) to assist in the acquisition of the New London Conservancy District. At the conclusion of ensuing discussion, a motion was made by Mr. Raver, seconded by Mr. Trine and carried to approve a request of \$48,000.00 be appropriated from the EDIT funds to loan to Russiaville to assist them in the acquisition and consolidation of the New London Conservancy District.
2. **Darrough Chapel Septic Concerns Report:** Mr. Raver submitted a report from Fleis & Vandenbrink Engineering, Inc. (acquired Gove Associates), concerning the Darrough Chapel Sewer Project and the Taylor Township RSD. He informed the Board of several meetings sponsored by Fleis & Vandenbrink and attended by the entities involved. There is a Rural Development Grant that has been pending for the last three years and Mr. Raver believes it needs to be used before we lose the opportunity. He continued

to say that he believes that EDIT funds should be used to help the Darrough Chapel Septic project as well as the Taylor Twp. Regional Sewer District. Discussion ensued.

There being no further issues to come before the Commissioners at this time, the meeting was adjourned at 10:28 a.m. on a motion made by Mr. Raver and seconded by Mr. Trine.

HOWARD COUNTY BOARD OF COMMISSIONERS:

BRADLEY J. BAGWELL, PRESIDENT

DAVID A. TRINE, VICE PRESIDENT

PAUL J. RAVER, MEMBER

ATTEST:

ANN WELLS, AUDITOR
Howard County Board of Commissioners Meeting May 19, 2008