

## **HOWARD COUNTY BOARD OF COMMISSIONERS MEETING NOVEMBER 3, 2008**

The Howard County Board of Commissioners met in Regular Session on Monday, November 3, 2008 at 8:30 a.m. in Hearing Room No. 338 of the Howard County Administration Center. Those in attendance included President Bradley Bagwell, Vice President David Trine, and Member Paul Raver. Also in attendance were 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 October 20, 2008 meeting, having been previously submitted and reviewed, were approved on a motion made by Mr. Raver and seconded by Mr. Trine.

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

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

1. **Bridge 501:** The gas line has been hung on Bridge #501 and all the concrete is on the deck board. The Highway Department will now make way for the contractors to finish the approach work. The plan is to have the project completed and the bridge opened before Thanksgiving.
2. **New Bridge Construction:** The State will begin construction of a new bridge over US 31 so County Road 200 South is closing today. Mr. Cain will tell the State and the contractors what equipment routes to use. If the designated routes are not being used, Mr. Cain will come before the Commissioners to receive permission to post Weight Limit signs. For future 31 Freeway construction activities, special provision will be made in all contracts and proposals allowing Mr. Cain to designate equipment routes.
3. **EMA Reconstruction Project:** The shell of the building is now up. In the next few weeks it will be completely enclosed. The plumbing drains are in, and concrete will be poured in the west end of the building either today or tomorrow.
4. **New Vehicle Request:** The Highway Department is in need of a new pick-up truck and Mr. Cain has detained the request as long as possible. He is now asking permission to seek quotes for a new vehicle. There is enough money in his account to cover the cost of the vehicle, since the shortage of money from the State has been received. A motion was made by Mr. Raver, seconded by Mr. Trine and carried to authorize Mr. Cain to seek quotes for a new pick-up truck.

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

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

1. **Jail Population:** The current inmate population is three hundred thirty-six (336) with fifty-six (56) being females. Over the weekend, thirty-six offenders were processed in twenty-four hours.
2. **Halloween Help:** Sheriff Talbert hired temporary labor to help patrol the County on Halloween night from 6:00 p.m. until midnight. Some were special deputies and others were reserve deputies (7 total).
3. **Firearms Transition:** The Firearms Transition is completed. Those individuals who are on Military Leave and FMLA will be trained upon their return. This was a good program and he appreciates the efforts of Major Rogers, the Deputies, and Attorney Murrell for their work with this project. Because of this project there will be a drop in the present liability coverage and Sheriff Talbert has informed Miles & Finch.
4. **Video Conferencing In The Public Defender's Office:** Mr. Raquet will be putting a monitor and video link in the conference room of the Public Defender's Office. This will link with the attorney's room in the Criminal Justice Center and to Howard Regional Hospital, giving them the capability to conduct video

arraignments. It will result in a decrease of transports, and the Sheriff's portion of the project will be taken from Misdemeanor funds. Sheriff Talbert thanked Mr. Tribby and his department for their assistance with this project. In the future he would like to consider the possibility of video conferencing right in the inmate pods.

#### **IN THE MATTER OF PLAN COMMISSION ISSUES:**

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

1. **Case 6-CP-08:** One lot in Jeffrey McDowell Estates, located at 3900 South County Road 1100 East was approved on a motion made by Mr. Raver and seconded by Mr. Trine.
2. **Ordinance No. 2008-BCCO-32:** Rezoning of property located at 3618 South Dixon Road from B-2 (General Business) to C-1 (Light Industrial) for the installation of a cell tower. The originally requested area was reduced by the Plan Commission Board. There being no public comment or question Ordinance No. 2008-BCCO-32 was approved on a motion made by Mr. Trine and seconded by Mr. Raver.
3. **Ordinance No. 2008-BCCO-33:** Rezoning of property located at 2333 West Markland Avenue from R-1 (Residential) to B-1 (Local Business), in order to build an ice cream and sandwich shop. This location is on high ground above the flood plain. There was a remonstrance against the request, but the rezoning request has been approved by the Plan Commission. President Bagwell informed the Board that there were future plans to install a canoe launch. At the time of the site plan the Plan Commission will require the buildings to be two feet above the flood plain elevation. A motion was made by Mr. Raver, seconded by Mr. Trine and carried to approve Ordinance No. 2008-BCCO-33.
4. **Unsafe Building:** There is no new report of Unsafe Buildings. The property located at 1050 West County Road 1750 North is in need of demolition. That may be a project scheduled for 2009.
5. **Flood Mitigation Grant:** Mr. Boise's office has received the contract for the Flood Mitigation Grant for the demolition of 2700 Dellwood Drive, and it is ready for Board approval. There are currently enough funds for the County's matching fund amount. Mr. Murrell has reviewed the contract and he recommends Board approval. He also recommends that the Board appoint a grant administrator who will deal with compliance issues, quarterly reports, and monitoring of the project. A motion was made by Mr. Trine, seconded by Mr. Raver and carried to approve the Howard County State-Local Agreement Flood Mitigation Assistance Program Grant and to appoint Director Glen Boise as the grant administrator. Mr. Murrell will order the Title Search.

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

Building & Grounds Superintendent Art Fross submitted the water treatment maintenance contracts with Certified Labs, for the five County owned buildings. Mr. Fross recommends approval with the modifications made by Mr. Murrell. A motion was made by Mr. Trine, seconded by Mr. Raver and carried to approve the maintenance contracts with Certified Labs for water treatment of the cooling towers in each of the five County owned buildings as amended by Mr. Murrell and authorize President Bagwell to sign on behalf of the Board of Commissioners.

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

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

1. **AFLAC Memo To Employees:** Ms. McKillip submitted a memo for approval, and its distribution through the mail boxes in the Auditor's Office. This is a voluntary insurance plan that can help employees through an extended illness. Meetings with representatives will be held November 18 - 21, 2008. The memos were approved for distribution on a motion made by Mr. Trine and seconded by Mr. Raver.
2. **Commissioner Appointments:** Ms. McKillip is preparing listings of 2009 Commissioner and Council appointments. She received a letter from Jack Leckner of the Howard Regional Health Systems Board stating that he does not wish to serve another term.

Mr. Bagwell submitted a letter from Health Department Director Kent Weaver, stating that Veterinarian Lisa Cooney's term in the Board of Health expires at the end of this year. She is willing to serve another term and has a recommendation for appointment from Dr. Zent. A motion was made by Mr. Trine, seconded by Mr. Raver and carried to reappoint Ms. Lisa Cooney to the Board of Health effective January 1, 2009, and authorize the President to sign on behalf of the Board of Commissioners.

3. **Appointment To The Local Coordinating Council:** At the October 20<sup>th</sup> meeting the Board of Commissioners was made aware of a request to appoint a representative to the Local Coordinating Council (*please refer to page six, item two, "In The Matter of Commissioner Issues" of the Regular Meeting minutes dated October 20, 2008*). The Auditor's Office contacted other offices that make appointments to that committee to compile a listing of appointees to insure there is no duplication in appointments. The Board will review the list submitted by Auditor Wells and make recommendations for appointment at the November 17<sup>th</sup> meeting.
4. **Contract For Health Fair:** Ms. McKillip submitted an Agreement with the Kokomo Event Center for the use of the facility and workers for the Employee Appreciation Day and Health Fair. The Event Center waived their fee but the County did have to pay for the workers involved in helping with the fair. The agreement was signed by Commissioner Trine and his signature needs to be confirmed by the Board of Commissioners. A motion was made by Mr. Raver, seconded by Mr. Trine and carried to approve the agreement with the Kokomo Event Center and to confirm the signature of Commissioner Trine.
5. **City Of Firsts Automotive Heritage Museum Board Appointment:** Heritage Museum Board President Dwight Singer informed the Board of Commissioners of the retirement of Ms. Amber Stearns from the Heritage Museum Board. He brings a recommendation for appointment for Ms. Michelle E. Martin as the Board of Commissioners' appointment. Ms. Martin is the Director of Alumni Relations at Ivy Tech, and volunteers for several other organizations in Howard County. She would fill the remaining term of Ms. Stearns. A motion was made by Mr. Raver, seconded by Mr. Trine and carried to appoint Ms. Michelle E. Martin to the City of Firsts Automotive Heritage Museum Board serve the remainder of the three year term which expires December 31, 2008.

#### **IN THE MATTER OF THE US 31 CORRIDOR COMPREHENSIVE PLAN UPDATE PROJECT:**

Plan Commission Director Glen Boise informed the Board of the Comprehensive Plan Update Project between the Plan Commission and the Local Coordinating Council. Mr. Boise is not certain that he will be receiving a contract before the end of the year but will need to have the funds appropriated from City Council. The City Controller's office suggested to Mr. Boise that the County bill the City for those funds to make sure an invoice is received by the City for their appropriation. A motion was made by Mr. Raver, seconded by Mr. Trine and carried to approve the submission of a claim from Howard County to the City of Kokomo for the City's share of the US 31 Corridor Comprehensive Plan Update Project, to be appropriated in 2009. Mr. Boise will assist in the preparation of the claim.

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

Information Systems Department Director Terry Tribby submitted the following issues for the Board's information and approval:

1. **Video Conferencing:** Mr. Tribby added his approval of the video conferencing system, stating that it will save much employee and travel time. In speaking with Captain Vincent he learned that the Sheriff's Department logs around 75,000 miles per year in traveling to the Department Of Corrections. He feels we will be able to cost justify this project in six months. He will confirm that this project meets with the State's requirements.
2. **New Technology At The Criminal Justice Center:** Mr. Tribby listed the following new technology that has been installed at the Criminal Justice Center in the last few years: Lieberman Software for warrants, cash book, and Sheriff Sales; JPay System (inmate commissary); Wireless with City for dispatch center; camera command central; new Emergency Radio Tower; hand-gun permits; form software for patrol vehicle submission; e-tickets. All these changes have improved efficiency at the Criminal Justice Center and deserved mention.

3. **On Line Election Results:** Mr. Tribby and his department will be working to post election results online at the County's website. There will be an Election Result listing on the home page with a link to the election results. This will be available after 6:00 p.m. when the polls close.
4. **Kudos From Sheriff Talbert:** Sheriff Talbert expressed appreciation to Mr. Tribby and his department for their work at the Criminal Justice Center. He always makes his department available to assist the Sheriff's Department.

#### **IN THE MATTER OF POSTAGE CONCERNS:**

Commissioner Trine reported that he has spoken with the Postmaster of Kokomo and H & H Express concerning the County's postage needs and current addresses. Mr. Trine will be holding a meeting with them and Department Heads in the next week. Commissioner Bagwell suggested that all offices wait to order letterhead and envelopes until after this issue has been resolved.

#### **IN THE MATTER OF TRAVEL CLAIMS THAT DO NOT COMPLY WITH THE COUNTY'S TRAVEL POLICY:**

Community Corrections Director Steve Maus submitted a travel claim for an ICA conference that was attended, but did not comply with the County's Travel Policy. The cost of the hotel room was \$89.00 per night plus applicable taxes. The County's policy is \$79.00 per night plus applicable taxes. The room costs were paid for by their department credit card. A listing of the State's Travel Policy was distributed to the Board of Commissioners. At the conclusion of discussion a motion was made by Mr. Trine, seconded by Mr. Raver and carried to approve the travel claim for the Community Corrections Department.

Also submitted is a request for three of his employees to attend IACCAC meetings in Indianapolis at a nightly hotel rate of \$97.00 plus applicable taxes. At the conclusion of discussion, a motion was made by Mr. Trine, seconded by Mr. Raver to deny the payment of hotel rooms for the IACCAC meeting on the grounds that those meetings are close enough to commute.

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

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

1. **Commissioners' Salary Claims:** The salary, hourly and overtime claims payable November 7 and 14, 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:** The Operating Claims payable today, in the amount of \$544,079.64 were submitted. The total amount for County General is \$160,545.96; Jail & Juvenile C.O.I.T. is \$74,205.13; Health Department is \$2,829.52. The Operating Claims were approved as submitted on a motion made by Mr. Trine and seconded by Mr. Raver.
3. **Proposed 2009 Commissioner Meeting Schedule:** The Commissioner Meeting dates for the year 2009 were submitted. There was a question as to when to schedule the last meeting of the year for payment of emergency claims and insurance matters. By consensus the Board scheduled the last meeting to be Wednesday, December 30, 2009. A motion was made by Mr. Trine, seconded by Mr. Raver and carried to approve the 2009 Commissioner Meeting Schedule.
4. **Proposed 2009 Holiday Schedule:** The proposed 2009 Holiday Schedule was submitted. Haynes / Apperson Day is a special holiday adopted by the Board of Commissioners. The proposed schedule lists the holiday as two separate days scheduled as Apperson Day on Friday, January 2, 2009 and Haynes Day on Thursday, July 2, 2009. At the conclusion of brief discussion, a motion was made by Mr. Raver, seconded by Mr. Trine and carried to approve the 2009 Holiday Schedule as submitted.
5. **Non Compliant Claim:** Previously in the meeting, Community Corrections Director Steve Maus submitted a claim for hotel bills that were not compliant with the County's travel policy. Also as a part of that claim, was reimbursement for two meals that did not comply with the travel policy. These purchases

were paid by the department's credit card. At the completion of ensuing discussion the meal reimbursement was approved on a motion made by Mr. Trine and seconded by Mr. Raver.

#### **IN THE MATTER OF COUNTY ATTORNEY ISSUES:**

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

1. **Komputrol Maintenance Agreement:** Komputrol is the Inventory software for the Auditor's Office. Mr. Murrell has reviewed the agreement and made changes which Komputrol has agreed to. A motion was made by Mr. Trine, seconded by Mr. Raver and carried to approve the Komputrol Agreement with the suggested changes and authorize the President to sign on behalf of the Board of Commissioners.
2. **Bio Terrorism Grant:** The Health Department submitted a \$10,000.00 grant from the State Department of Health for Bio Terrorism Projects. This grant does not require an additional employee. Mr. Murrell has reviewed the grant and added an addendum page for the Commissioners' signatures. The Bio Terrorism Grant from the State Department of Health was approved on a motion made by Mr. Trine and seconded by Mr. Raver.
3. **Incumbent Acknowledgement:** Mr. Murrell submitted an Incumbent Acknowledgement for an invoice from Integrity Communications in the amount of \$74,000.00. This is for finish work through the month of August, 2008. The Incumbent Acknowledgement was approved on a motion made by Mr. Trine and seconded by Mr. Raver.
4. **Re-Banding Change Order:** Integrity Communications submitted a change order for the re-banding project, in the amount of \$23,950.00. The change order was signed by President Bagwell and forwarded to Sprint / Nextel, and his signature needs to be confirmed by the Board. The Change Order was approved and Mr. Bagwell's signature was confirmed on a motion made by Mr. Trine and seconded by Mr. Raver.
5. **Set Executive Session:** Mr. Murrell recommended that the Board of Commissioners set an Executive Session date for the possible Institution of Litigation and pending litigation pursuant to IC 5-14-1.5-6.1 (b)(2)(B). The Executive Session was set for Thursday, November 6, 2008 at 3:00 p.m. in Room 220 D of the Administration Center on a motion made by Mr. Raver and seconded by Mr. Trine.

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

1. **Walk In Freezer Request:** Commissioner Trine submitted a request for a walk-in freezer for the County Home. The Home has several old chest freezers and Mr. Trine believes it would be better to replace them. Mr. Reed from the Maintenance Department confirmed that there was sufficient power to support a walk-in freezer. Friends of Howard Haven are purchasing new chairs for the Home. A motion was made by Mr. Raver, seconded by Mr. Trine and carried to pursue the possibility of purchasing a walk-in freezer for Howard Haven at little or no cost.
2. **Dumping At The Transfer Station:** The Sheriff's Department received a call concerning dumping at the transfer station located on the corner of State Road 35 and Davis Road. Mr. Trine talked to the manager of the transfer station concerning the possibility of making a donation to pay the Sheriff's Inmate Crew to do the clean-up. Mr. Raver suggested that we use the Ordinance that enables the Recycling District to police the situation. At the conclusion of discussion it was the consensus of the Board of Commissioners to have Mr. Trine talk to the manager of the transfer station, and direct the Recycling District to monitor the site to confirm who is doing the dumping at the transfer station.
3. **Township Assistance Appeal:** This Township Assistance Appeal was for Matthew P. Ruebush from Center Township. Because the request for assistance did not comply with the eligibility requirements, a motion was made by Mr. Raver, seconded by Mr. Trine and carried to uphold the denial of the Township Trustee.
4. **Darrouh Chapel Sanitary Sewer System:** Mr. Raver reported that he had met, last week, with Mayor Goodnight, the City Engineer, Mr. Murrell and Mr. Morris concerning the Darrouh Chapel sewer

concerns. There are grants available that require a Rural Development approach. The City expressed a willingness to work with the County and we need to have a plan in place and the process begun in the next year, or we will lose the available grant. Taylor Township Regional Sewer District may be willing to be the sponsoring group if they are not required to make a financial commitment. Mr. Raver proposes that the Board of Commissioners request an Additional Appropriation in the amount of \$60,000.00 from the Council to move forward with engineering plans and specifications for a new sewer system for Darrough Chapel. If we are able to move forward the \$60,000.00 will be reimbursed from the awarded grant. Mr. John Caton has agreed to represent the request to the November Council meeting. A motion was made by Mr. Raver, seconded by Mr. Trine and carried to approve the Additional Appropriation Request of \$60,000.00 from the EDIT Fund for engineering design fees for a sewer system for Darrough Chapel to be forwarded to the County Council at their November 2008 meeting, subject to the City of Kokomo's guarantee to Taylor Township Regional Sewer District as previously discussed. Mr. Murrell commends Mr. Raver for his perseverance with this project.

5. **Economic Development Workshop:** An Economic Development Workshop is being held from 9:00 a.m. - 12:30 p.m. on Wednesday November 19, 2008 at the Kokomo Event Center. Because Mr. Trine is a member of the Greater Kokomo Economic Development Alliance, he may want to attend the workshop.
6. **Request For Permit:** Mr. Raver will take a notification received from the Indiana Department of Management to the Recycling Center. This notice is informing Toby Pike Recycling Center that their permit is not in compliance and they have sixty (60) days to re-submit.

There being no further business to come before the Board of Commissioners at this time, the meeting was adjourned at 10:20 a.m. on a motion made by Mr. Trine and seconded by Mr. Raver.

**HOWARD COUNTY BOARD OF COMMISSIONERS:**

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BRADLEY J. BAGWELL, PRESIDENT

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DAVID A. TRINE, VICE PRESIDENT

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PAUL J. RAVEN, MEMBER

ATTEST:

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ANN WELLS, AUDITOR

Howard County Board of Commissioner Meeting November 3, 2008