

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING OCTOBER 6, 2008

The Howard County Board of Commissioners met in Regular Session on Monday, October 6, 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 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 September 15, 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 Board information and approval:

1. **2009 Annual Materials Bid:** Mr. Cain submitted the Notice To Bid For Materials & Supplies for the County Highway Department Year 2009 for Board approval and signature. Bituminous, asphalt, gravel, fuel and rental agreements were included in the package which was approved and signed on a motion made by Mr. Trine and seconded by Mr. Raver.
2. **Road Salt For Reasonable Price:** Mr. Cain has been able to secure the purchase of road salt in the amount of \$68.70 per ton up to 500 tons in one location and 200 tons in another location in the amount of \$69.70. Picking up the salt supply is another issue that Mr. Cain is negotiating at this time. Those supplies cannot be picked up until after January 1, 2009. If we should have bad weather that uses our supply before January 1st, Mr. Cain has provision to borrow from another entity and then pay them back when we are able to get our supplies.
3. **EMA Reconstruction Report:** Mr. Cain reported that progress is being made on the new EMA building. All the footers have been formed and most were poured last Friday. The building will arrive late this week or early next week. There have been a few minor electric issues that were able to be worked out. The pre-construction meetings have been valuable in settling certain matters before the construction process progressed. The 1:00 Friday construction meetings will continue.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

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

1. **Jail Population:** The current inmate population is three hundred twenty-two (322), with fifty-six (56) being females.
2. **Return Of Fugitive Line Item:** Sheriff Talbert reported that he may have to request a transfer of funds into the Return of Fugitive Line item before the end of the year. There are enough funds in the Petit Juror line to complete a needed transfer.

IN THE MATTER OF PLAN COMMISSION ISSUES:

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

1. **Unsafe Buildings:** Progress has been made concerning the clean up of properties located on Jeff Court and West Alto Road.
2. **Flood Mitigation Grant Approval:** Mr. Boise has finally received word from FEMA that the grant application for 2700 Dellwood Drive has been approved. We are awaiting receipt of the contract that has to be signed by the Attorney General.

3. **US 31 Land Use Comprehensive Plan Update:** The Selection Committee made a recommendation to the Policy Board for the selection of American Structurepoint to assist the County. We are moving forward and Mr. Boise will notify the two companies not selected. Mr. Boise will contact the Board of Commissioners whenever approval is needed. The Study is to update the Comprehensive Plan, looking at the possible impact of the new US 31 Freeway and how to maintain a certain level of standards to prevent a generic look of the businesses along the freeway. Also of concern is how to maintain and improve the existing 31 Bypass and its businesses. Mr. Boise would like to get the public involved and community consensus for the two connectors at 100 South and Touby Pike.
4. **Addresses For Downtown County Buildings:** Mr. Raver reported on a meeting with Mr. Melton, the Postmaster of Kokomo, Wanda McKillip and Mr. Boise. Because of new equipment and new rules, the Post Office wants to review the numbers posted for the three downtown County owned buildings and the possibility of centralized mail locations in the buildings, similar to the system that is used in the Government Center. Mr. Raver suggests that Mr. Melton meet with County representatives to reach an agreement for the postal system.

IN THE MATTER OF MAINTENANCE DEPARTMENT ISSUES:

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

1. **HVAC Agreement:** Mr. Fross submitted a Service Agreement with Benchmark Mechanical, for Mr. Murrell's review. This agreement is for the same number of days at a cost that is \$10,000.00 less than their present contract with Siemens. Benchmark is also a local company and can be here in a more timely fashion in case of an emergency. Mr. Murrell will review the contract and make a recommendation at the October 20th meeting.
2. **Replacement Of Circulating Pump:** The circulating pump for the water system in the Administration Center needs to be replaced. The water will be shut off for a short time, this morning, in order to move to the back-up system. The pump will be replaced on Tuesday.
3. **Cooling Units:** The replacements of the hail damaged cooling units have been installed at the Courthouse and the Administration Center. The claims have been submitted to the Auditor's office, and the insurance adjuster has been instructed to make the check payable to the Auditor of Howard County.
4. **Need For New Mailboxes At The Government Center:** Mr. Fross has enough funds to replace the mailboxes at the Government Center. Mr. Bagwell suggested the Mr. Fross wait until after the meeting with the Postmaster and County Officials to see what system has been decided upon, before replacement begins.

IN THE MATTER OF PERSONNEL DEPARTMENT ISSUES:

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

1. **County Employee Flu Shots:** Thursday, October 30 and Friday, October 31, 2008 are the days that Flu shots will be available to County employees and their household. By consensus the Board of Commissioners approved the employee memo and its distribution through payroll on Friday, October 17th.
2. **Government Benefits And Wellness Appreciation Day For Employees:** The Employee Wellness Fair is Wednesday, October 15, 2008, for all County, City, Library and Center Township Employees and retirees. We will be using the services of the Inmate Work Crew to help set up and take down for the event. Notices have been posted and each office contacted. It will be a great, family oriented day for employees.
3. **Joint Retirement Insurance Session:** November 13th is the scheduled day for a joint City/County/Library Retirement session with people aged fifty (50) and over, at the Government Center. Also attending that meeting will be representatives from RIPEA, PERF and Social Security.

IN THE MATTER OF INFORMATION SYSTEMS DEPARTMENT:

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

1. **Comcast Agreement:** The Agreement with Comcast for services at Kinsey Youth Center is now ready for the Commissioners' approval. Mr. Murrell submitted the Service Order and the Addendum of terms and conditions. A motion was made by Mr. Trine, seconded by Mr. Raver and carried to approve the Service Order and the Addendum of terms and conditions, and authorize the President to sign on behalf of the Board of Commissioners. A Justification Form was signed by Mr. Tribby and needs to be confirmed by the Board of Commissioners. A motion was made by Mr. Trine, seconded by Mr. Raver and carried to confirm the signature of Mr. Tribby on the Justification Form, on behalf of the Board of Commissioners.
2. **Internet Connectivity:** Mr. Tribby is reevaluating our internet connectivity. At this time it is managed well, but he is looking into other companies and their pricing. Earlier in the year we had some problems when Comcast went down for a time. He would like to look into other options in case one provider would go down, again, they could reroute to another company's site.
3. **Technology Changes:** With the many technology changes, it's becoming more challenging to manage all the data with back up systems. Mr. Tribby is looking into a company that stores data through an on-line back-up solution, whose back-up servers are in Utah. He is also looking into a company hosted out of Indianapolis, using a Network Upgrading Center, whose up-time is 100%. Mr. Tribby will be taking a tour through their facility and would welcome anyone from the Board of Commissioners to accompany him.
4. **V.O.I.P:** Mr. Tribby has visited another county in Indiana that is using a VOIP system. Voice Over IP solution for our telephone system is very expensive but Mr. Tribby is looking into an Indianapolis company that offers a service that is cost competitive to our present A T & T Centrex service. Because we have another year and a half left on our Centrex contract, there is time to investigate this alternative.
5. **Project CodeSpear:** The Commissioners signed a contract with CodeSpear for their emergency notification system, in September (*please refer to page five, item one, "In The Matter Of County Attorney Issues", of the Regular Meeting minutes dated September 2, 2008*). Since the signing of the contract and installation of the equipment, CodeSpear has sent additional contractual terms that need to be reviewed by Mr. Murrell and Mr. Tribby. The signed contract has not been sent back to CodeSpear, yet, and there are several contract issues that need clarification. Those issues include roll-over minutes and the registration of cell phones and e-mail addresses. A motion was made by Mr. Raver, seconded by Mr. Trine and carried to withhold delivery of the signed contract to CodeSpear until terms and conditions have been rectified and all issues clarified. There will be future capabilities of groups outside of the County being able to use the technology, such as the school systems.
6. **Video Arraignment Capability At Howard Regional Hospital:** Mr. Tribby has met with representatives from Howard Regional Hospital concerning the capability to install equipment for Video arraignment of mental health patients who are being hospitalized, so they don't have to be transported to the courtroom. There is an issue of confidential communications between the patient/client and their attorney, outside of the actual video arraignment. Judge Hopkins and Judge Jessup, as well as Public Defender Raquet are in support of the project. The investment from the County would be a little more than originally anticipated, however, the equipment could be placed in the Public Defender's office, for the confidential communications. It could then be financed through the Public Defender's User Fee Fund. Mr. Tribby will move forward with specifications for the project, then to the Board for approval.
7. **Future Projects:** The Lieberman Project is almost ready, and Mr. Tribby has been checking with the State Police concerning a new Firearms Registration Project.

IN THE MATTER OF CONTRACTS FOR KINSEY YOUTH CENTER:

Kinsey Youth Center Assistant Director Jeff Lipinski submitted two contracts for the Commissioners' approval. The first is for Swank Motion Pictures, a movie licensing service and the second one is for SafeDose Pharmacy. Both vendors have approved the changes made by Attorney Murrell, but during his review of the submitted contracts, the changes had not all been made. Mr. Murrell will review the two contracts and have them ready for the October 20th meeting.

IN THE MATTER OF FIDLAR RENEWAL CONTRACT:

Howard County Recorder Linda Koontz submitted the renewal contract with Fidlar for software and license agreement. She reminded the Board that their office has been with Fidlar for five years. The yearly cost has increased about \$3,700.00 per year. Ms. Koontz feels that the increases have been justified and she is very happy with their service. Available in the newest software is Property Fraud alerts. This applies to property owners who are being targeted in a Scam operation that applies for loans on properties that have no present mortgages. Scam activity has been reported in Chicago and Indianapolis. Mr. Murrell has reviewed the contract and it is ready for approval. A motion was made by Mr. Raver, seconded by Mr. Trine and carried to approve the 2009 contract with Fidlar.

IN THE MATTER OF HOWARD HAVEN ISSUES:

County Home Director Jennifer Vary submitted the following issues for Board information and approval:

1. **New Assistant Superintendent:** Ms. Vary introduced Ms. Sharon Myers as the new Assistant Superintendent of Howard Haven. Ms. Myers was welcomed by the Board of Commissioners.
2. **Inventory Reports:** Ms. Vary submitted the Donation Inventory Listing from August 10 - September 11, 2008, and the August 27, September 6, and September 17, 2008 Disposal Sheets.

IN THE MATTER OF CLAIMS AND REPORTS:

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

1. **Salary Claims:** The Salary, hourly and overtime claims payable October 10 and 17, 2008, in the amount of \$337,929.59 each, were approved on a motion made by Mr. Trine, seconded by Mr. Raver.
2. **County Operating Claims:** The Operating Claims payable October 6, 2008 were submitted, in the amount of \$636,514.43. It was noted that the C & Z Construction claim for the EMA Reconstruction included code requirement updates that will be reimbursed by our Insurance Company. The Operating Claims were approved on a motion made by Mr. Raver and seconded by Mr. Trine.
3. **2009 Employee Holiday Schedule:** Ms. Wells submitted a proposed 2009 Holiday Schedule and 2009 Meeting Schedule for Board review. Discussion ensued concerning when to schedule Haynes Day, as well as the date to schedule the third Commissioner Meeting in December. Scheduling will be confirmed at the next meeting.
4. **United Way Pizza Party And Campaign Employee Memo:** The United Way Pizza Party announcement and employee memo were submitted for the Commissioners' approval. The Board was informed of the upcoming Employee Free Pizza Party to kick off the 2009 Employee pledge drive. The pizza luncheon will take place on Friday, October 17, 2008 from 11:00 a.m. to 2:00 p.m. Free pizza and drinks will be available, as well as guest speakers from United Way and the agencies that receive funds from them. Door prizes will be drawn every fifteen minutes. A motion was made by Mr. Trine, seconded by Mr. Raver and carried to approve distribution of the United Way information through payroll October 10, 2008.
5. **A T & T Contract Issues:** Mr. Murrell informed the Board of Commissioners of the latest issue concerning the Centrex Contract. The contract has not been applied to our account, yet, and their billing department, beginning with the August bill, is charging us month by month, instead of our lower contracted amount. The bills are being held until the contract is applied to our account and the correct

amount is issued. The Auditor's Office is working with several account managers to make sure it is done correctly.

6. **Veteran's Service Report:** The Veterans Service Report for the month of September, 2008, was submitted and accepted on a motion made by Mr. Trine and seconded by Mr. Raver.
7. **Weights And Measures Report:** The Weights and Measures Report for the month of August 15 to September 15, 2008 was accepted on a motion made by Mr. Trine and seconded by Mr. Raver.

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

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

1. **Crowe Horwath LLP Invoice:** Mr. Murrell submitted an invoice from Crowe Horwath LLP (formerly Crowe Chizek & Co. LLC) in the amount of \$9,336.02 for professional services from May 1, 2007 to August 14, 2008. \$7,500.00 of the amount is for the County's share of the Annexation Analysis, and \$1,836.02 is for other County issues. The invoice was approved in the amount of \$9,336.02 on a motion made by Mr. Raver and seconded by Mr. Trine.
2. **Lawsuit Representation:** Mr. Murrell reported that our liability carrier, ARCH Insurance, has declined coverage in the pending lawsuit brought by Myron Parry against the Howard County Sheriff. Mr. Murrell recommends that the county retain the services of Attorney Alan Wilson to defend the county in this lawsuit and to determine whether the county has a valid claim against ARCH. A motion was made by Mr. Raver, seconded by Mr. Trine and carried to approve retaining the services of Attorney Alan Wilson to represent Howard County in both matters.
3. **CLES Seminar:** Mr. Murrell informed the Board of Commissioners that he will be attending the Continuing Legal Education Seminar on Thursday. The Seminar will focus on Public Health and the legal issues of quarantine and isolation as it pertains to disaster/pandemic planning.

IN THE MATTER OF COMMISSIONER ISSUES:

1. **Township Assistance Hearing:** Mr. Raver reported on the Township Assistance Hearing that was held at 11:00 a.m. on September 26, 2008. This hearing was on behalf of Walter E. Henderson, Center Township. A motion was made by Mr. Raver, seconded by Mr. Trine and carried to uphold the denial of the Township Trustee.
2. **County Commissioner Annual Conference:** Commissioners Raver and Bagwell expressed interest in attending the Annual Conference for County Commissioners and submitted their requests to the Auditor for payment of the registration costs.
3. **Post Office Issue:** In reference to the earlier discussion concerning the reevaluation of the posting numbers for the three downtown County Government buildings, it was suggested that Mr. Raver and Mr. Trine be on a committee with the Postmaster, Glen Boise, representatives of the Maintenance Department and Recorder Linda Koontz and Clerk Mona Myers. President Bagwell appointed Mr. Trine as the head of the committee, who will then report to the Board of Commissioners at the November 3rd meeting.
4. **Thank You From Commissioner Trine:** Mr. Trine took this time to express appreciation for the support and concern he's received from almost every elected County official during this time of loss from the fire that destroyed the Kool Breeze.
5. **Annexation Remonstrance Petitions:** Mr. Bagwell received requests for the Board of Commissioners to sign both East and West side Annexation Remonstrance Petitions. He then e-mailed to Commissioners Trine and Raver, asking for their comments. Mr. Trine gave his support and approval to sign the petitions. Mr. Raver felt he did not know enough about the issues involved to make a decision. Mr. Bagwell did sign the petitions on behalf of the Board of Commissioners and now asks that his signature be ratified. A motion was made by Mr. Trine to ratify the President's signature on the Annexation Remonstrance Petitions. Mr. Raver abstained from voting. Mr. Bagwell vacated the chair and seconded

the motion. The motion carried. Mr. Trine commented that he also had many questions concerning the annexation, but he received a majority of calls in opposition to the annexation. Mr. Bagwell also received more calls from people who opposed the annexation. He reminded those in attendance that although the annexation does not affect the amount of property tax dollars brought into the County, it does affect the C.O.I.T. and L.O.I.T. taxes for the County.

There being no further business to come before the Board of Commissioners at this time, the meeting was adjourned at 10:29 a.m. on a motion made by Mr. Trine and seconded by Mr. Raver.

HOWARD COUNTY BOARD OF COMMISSIONERS:

BRADLEY J. BAGWELL, PRESIDENT

DAVID A. TRINE, VICE PRESIDENT

PAUL J. RAVER, MEMBER

ATTEST:

ANN WELLS, AUDITOR

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