

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING MARCH 2, 2009

The Howard County Board of Commissioners met in Regular Session on Monday, March 2, 2009 at 4:00 p.m. in Hearing Room No. 338 of the Howard County Administration Center. Those in attendance included President David Trine, Vice President William Thompson and member Tyler Moore. 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 Trine. Mr. Moore led in the Pledge of Allegiance.

IN THE MATTER OF APPROVAL OF MINUTES:

A motion was made by Mr. Moore, seconded by Mr. Thompson and carried to approve the previously submitted and reviewed minutes of the February 16, 2009 meeting, as presented.

IN THE MATTER OF HIGHWAY DEPARTMENT ISSUES:

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

1. **Road Conditions:** The Highway Department did not face a salt issue for the month of February. They did maintain the roads through plowing. They will be making their last northern salt run, this week.
2. **EMA Building Report:** Mr. Cain and Mr. Thompson will coordinate schedules with the builder and EMA Director Larry Smith for the last inspection of the new EMA building. There are several issues Mr. Cain would like to discuss with the builder. He will also be contacting EMA Director Larry Smith concerning grading of the grounds, the laying of asphalt, and financing of the asphalt project that he hopes to begin in April.
3. **Engineering Projects:** Mr. Cain has several engineering projects he is working on, including projects to be implemented with funds from the Federal Stimulus Package that are considered high priority.
4. **Two Drainage Board Situations:** County Surveyor Dan Minor presented two Drainage Board situations. The first one is on property owned by Mr. Trusty, Sr., located at 1539 North County Road 400 West. The property has a ditch that was filled in by the owner and is causing a flooding problem for the house south of the property. Both Mr. Cain and Mr. Minor believe that the County has no responsibility in the excavation of this ditch and should be repaired at the owner's expense. The ditch had been a natural waterway and because it was filled in, the waterway is blocked. Mr. Trine has spoken to a relative of the property owner and was informed that the owner is in poor health. He would like to try to resolve this issue with the owner.

Mr. Minor also presented a situation located on 3594 South County Road 350 East, owned by Mr. & Mrs. Herbert Neal. A ten-inch drain pipe was installed along the side of the property that is south of Center. This drain cannot handle the surface water that is running down to the corner and spilling into another property. There is no dedicated easement located on the White's property. Mr. Minor and Mr. Cain both believe this is a situation created by the property owner. There is a high incidence of poorly drained land being sold and it's not the County's responsibility to correct those drainage issues. Mr. Cain believes the County needs to carefully review where people are allowed to build. His department is able to give some guidance through their Driveway Permit system, informing builders of possible problems and solutions to help prevent drainage problems.

IN THE MATTER OF PLAN COMMISSION DEPARTMENT ISSUES:

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

1. **9-CP-08:** One lot in Temme Subdivision located at 1380 West County Road 300 North, is approved on a motion made by Mr. Moore and seconded by Mr. Thompson.

2. **Ordinance No. 2009-BCCO-09:** This ordinance is for the re-zoning of property located at 3039 South County Road 150 East, Kokomo / Howard County Public Library, from A-1 (Agricultural) to B-2 (Local Business). This re-zoning request is for the possible installation of a driveway or garage for the Bookmobile. Ordinance No. 2009-BCCO-09 is approved as submitted on a motion made by Mr. Moore and seconded by Mr. Thompson.

3. **Flood Mitigation Grant:** Mr. Boise has received approval from the State concerning the Flood Mitigation Grant for the 2700 Dellwood property. The County is authorized to proceed with the purchase of the property for demolition. The first step in the process is to have the property appraised by two different appraisers. At the close of ensuing discussion, a motion was made by Mr. Thompson to approve the services of Cartwright Ellis Appraisers and Associates and Blackledge Appraisals, to appraise the property at 2700 Dellwood Drive. The motion was seconded by Mr. Moore and carried.

4. **Unsafe Properties:** There is an abandoned house on property located at County Road 100 North (Jefferson St.), west of County Road 300 West. The owner was contacted and directed to clean up the property. The house and the garage have been removed and there is still some clean-up to be completed.

An abandoned A-frame house located at 1757 North County Road 1050 West and owned by Mr. John Collins, has been vacant for at least eleven years. The Plan Commission office had contacted the owner and the mortgagor but no response has been received. This property was originally condemned by the Health Department because of sewage problems. At the conclusion of ensuing discussion it was the consensus of the Board of Commissioners to begin the demolition process and Mr. Boise was directed to issue a Notice of Order to the property owner. Mr. Boise will complete the Order and review the process with Attorney Murrell.

5. **U.S. 31 Freeway Corridors Plans:** At the February 16th meeting, Mr. Boise asked that the County's local match funds in the amount of \$4,000.00 be appropriated (*please refer to page one, item two, "In The Matter Of Plan Commission Issues" of the Regular Meeting minutes dated February 16, 2009*). The transfer request of \$4,000.00 for the US 31 Corridors Plans was approved at the February 24th Council meeting. The City's share of the matching funds will be addressed at the City Council meeting, next week. He hopes to have the funds in place by the April 20th Commissioner Meeting, and will proceed with the signing of contracts.

IN THE MATTER OF MAINTENANCE DEPARTMENT ISSUES:

Buildings and Grounds Superintendent Scott Reed submitted the following issues for the Board's information and approval:

1. **Administration Roof Repair:** Love Contracting reviewed the repairs needed for the flashing on the Administration Center's roof. They will wait until warmer weather is here to insure that the rubber compound needed for the repair will have a chance to adhere properly.

Concerning the leakage in the Adult Probation Offices of the Courthouse, Mr. Reed will wait for dry weather before opening the wall for repairs.

2. **Faucet Replacement At Howard Haven:** Mr. Reed has ordered and will be installing commercial grade faucets to replace the current residential grade.

3. **Request To Use Courthouse Grounds:** A request was received by the Maintenance Department for the use of the grounds for the National Day of Prayer on May 7th. The request was directed to the Auditor's Office to be put on the Agenda for the next Commissioner Meeting.

4. **Jail Repair:** Mr. Reed is waiting for the arrival of materials to begin the repairs at the Criminal Justice Center (*please refer to page two, item three, "In The Matter Of Maintenance Department Issues" of the Regular Meeting minutes dated February 16, 2009*).

5. **Pending Contracts:** Mr. Murrell asked for direction on the contract pending with Elwood Fire Equipment Company concerning fire equipment inspections. A quote was received but there is no direction concerning payment terms. Mr. Murrell will prepare an amendment to include with the contract

after Mr. Reed receives the correct information from Elwood. There are also pending contracts for waste removal with Waste Management and Wabash Valley. Mr. Reed reported that we are currently being serviced by Waste Management under the former contract. He will contact both companies for further information.

IN THE MATTER OF A DISASTER PREPAREDNESS MEMO AS PRESENTED BY THE PERSONNEL DEPARTMENT:

Personnel Director Wanda McKillip submitted a Disaster Preparedness Memorandum to distribute to elected officials and department heads, concerning the severe weather season. This memo is in response to discussion at the February 16th meeting (*please refer to page three, item six, "In The Matter Of Personnel Department Issues" of the Regular Meeting minutes dated February 16, 2009*). Ms. McKillip sent an e-mail to the Commissioners to inform them that there is too much information to e-mail, but that all the information is available through the Personnel Office. She did send the Disaster Preparedness Committee members' contact information and reminded the Board that the committee has not met in three years. Ms. McKillip reviewed the contents of the Memo with the Board of Commissioners. This information is for the Courthouse, Administration Center, Government Center and Howard Haven. The Highway Department, Kinsey Youth Center and Sheriff's Department have their own Disaster Preparedness plan. Ms. McKillip would suggest that Deputy Trott be a part of the Disaster Preparedness Committee. Her office is preparing a special Red Book for Mr. Trott, as he is the head of security for the downtown buildings. Mr. Thompson asked that the Disaster Preparedness Committee not meet until after the Security Committee meets. The commissioners approved the memo for distribution by consensus.

IN THE MATTER OF INFORMATION SYSTEMS DEPARTMENT ISSUES:

Information Systems Director Terry Tribby informed the Board of a meeting he attended, last week, involving the Manatron Advisory Board, Department Of Local Government Finance, and our Auditor, Treasurer and Assessor. There were two issues discussed at the meeting; the first is this year's taxes and the second is certification changes for the next tax year. The Indiana Legislature has made many changes to the assessing and taxing structure. The changes for this year's tax statements have to be incorporated by our software company. The Assessors' offices use Proval software and the Treasurer and Auditor use Manatron software (which also owns Proval). At the time of the meeting, Manatron had only one week to prepare software for the changes. This software is needed so the Assessor's office can roll assessments to the Auditor and the Auditor can roll to the Treasurer's Office in order to prepare tax statements. If the new software and certification of our assessments is not approved by the DLGF by April 15th, we will not meet the May 10th tax deadline. Mr. Tribby's office will keep the public informed of our progress and guidelines for taxes, through our web site.

The second issue is the Certification process for taxing and assessment. The Department of Local Government Finance has interpreted the legislative changes to require multi software users to have the same exact data, entered in the same exact way. That's forty-three thousand records that have to match exactly. Hopefully the software companies can write a script to allow the software to accomplish that task. If not, corrections will have to be entered manually. The worst case scenario is that manual corrections could take up to two (2) full-time employees one full year to input. These changes may require extra maintenance costs not figured into the original contract. Also, there will be additional costs in hardware. Currently we have two servers to handle assessment and tax. We will now be required to have one big server. New work stations will be required to work with that server (Mr. Tribby had already scheduled new work stations in the Administration Center as part of his 2009 budget). An additional change will be the requirement of a third party certification (currently Crowe Chizek is the only company licensed to certify), requiring additional funds to be appropriated (up to \$7,500.00). All of these changes require additional expenses, in light of the Council's request to cut 5% from all budgets. Mr. Tribby stated that these changes, in the long run, will be good, but "the timing is bad".

IN THE MATTER OF E911 RADIO INTERFERENCE CONCERN:

E911 Coordinator Nick Capozzoli stepped to the podium to update the Board of Commissioners concerning the interference experienced by the Sheriff's Department mobile radios (*please refer to page one, item two, "In The Matter Of Sheriff Department Issues" of the Regular Meeting minutes dated January 20, 2009*). Sprint / Nextel had hired Pericle Company from Colorado to do ground testing to try to find the source of the interference. They found an obvious interference but did not find the source. They will return to do air testing, believing it could be a bi-directional amplifier. Pericle is very confident they can solve the problem. Sprint / Nextel is paying for the services; the County is under no obligation. This interference is a result of moving to a lower frequency because of the re-banding project.

IN THE MATTER OF TAX BILL PREPARATION:

Treasurer Martha Lake informed the Board of Commissioners that the Contract with Boyce Forms, for tax bill preparation, is not ready for submission (*please refer to page five, "In The Matter Of Tax Bill Preparation", of the Regular Meeting minutes dated February 2, 2009*). She should have more information on Wednesday, after the Treasurer's District Meeting.

Ms. Lake reissued an invitation to the Board of Commissioners to attend the opening of the District Treasurer's Meeting this Wednesday, March 4, at 9:00 a.m. at the Kokomo Country Club.

IN THE MATTER OF A REQUEST TO USE COURTHOUSE GROUNDS:

Ms. Denise Young is the chapter president of the North Central Blue Star Mothers of Indiana, which serves seven counties. She submitted a request to use the Courthouse grounds to hold a Prayer Vigil for military personnel and their families. The vigil is scheduled for Saturday, May 9, 2009 from 1:00 p.m. – 2:00 p.m. She submitted letters of support from local entities and is coordinating efforts with military and veteran support groups to include all involved with military support. Ms. Young also submitted a proposed agenda for the Vigil. At the conclusion of the presentation a motion was made by Mr. Thompson, seconded by Mr. Moore and carried to support the Prayer Vigil and allow use the public areas of the east side of the Courthouse Square.

IN THE MATTER OF RESOLUTION #2553:

Mr. Keith Olmstead submitted Resolution #2553, a resolution supporting efforts to purchase American made products and services with federal stimulus monies. This resolution has been approved by the Common Council of the City of Kokomo, Indiana with the following statement, "The Common Council of the City of Kokomo, Indiana commits to purchasing only products and services that are made or performed in the United States of America whenever and wherever possible with any economic recovery monies provided to the City of Kokomo by the American taxpayers". A copy of this Resolution in the County's format and signature page will be submitted when completed. A motion was made by Mr. Thompson, seconded by Mr. Moore and carried to approve a resolution similar to the City of Kokomo's Resolution #2553, and authorize the President to sign on behalf of the Board of Commissioners when the reformatted resolution is submitted.

IN THE MATTER OF HOWARD HAVEN ISSUES:

Howard Haven Superintendent Jennifer Vary submitted the following issues for Board's information and approval:

1. **Request To Retain Consultant:** Ms. Vary submitted a request to retain the services of TS Consulting to prepare the annual Residential Care Facility Cost Report Form. This report must be submitted annually for the sixteen residents supported by the ARCH Program, in order to retain their contract. The cost of preparation is \$1,000.00. A motion was made by Mr. Moore, seconded by Mr. Thompson and carried to approve retaining TS Consulting to prepare the Residential Care Facility Cost Annual Report, in the amount of \$1,000.00, to be paid from the Commissioners' Contract Services line item.
2. **Resident Application:** Ms. Vary submitted an Application for Residency for Ms. Linda Lawhead. Ms. Lawhead would be a private pay resident and does have family in Kokomo. The interview with Ms. Lawhead has been completed. A motion was made by Mr. Thompson to approve the Application for Residency of Ms. Linda Lawhead, with the usual ninety day probation period. The motion was seconded by Mr. Moore and carried.

IN THE MATTER OF CLAIMS AND REPORTS:

Auditor Ann Wells submitted the following claims and reports for the Commissioners' approval:

1. **Salary Claims:** Commissioners' salary, hourly and overtime claims payable March 6 & 13, 2009, in the amount of \$349,982.56 each were approved on a motion made by Mr. Thompson and seconded by Mr. Moore.
2. **Operating Claims:** Commissioners' Operating claims payable today, in the amount of \$527,745.32 were submitted and approved on a motion made by Mr. Moore and seconded by Mr. Thompson.

3. **Contested Claim:** Ms. Wells submitted a claim from the Community Corrections Department for car washes for the County owned vehicle, in the amount of \$600.00. This claim is for services not yet rendered and Ms. Wells cannot authorize payment of the claim. A motion was made by Mr. Thompson, seconded by Mr. Moore and carried to table this claim payment request until the March 16th meeting, allowing for review by the Board of Commissioners.
4. **Township Hearing Appeal:** A Township Hearing Appeal for Nicole Read, Liberty Township, was held on February 25, 2009 with Commissioner Thompson, and today is the last day to give an opinion. A motion was made by Mr. Thompson to send the assistance request back to the Township Trustee for further action consistent to the Township Appeal Hearing agreement.

IN THE MATTER OF A NOTICE TO BID FOR REASSESSMENT SERVICES:

County Attorney Larry Murrell submitted a Notice To Bid Reassessment services. The Legislature has now decided that contracts for Reassessment, Trending and Maintenance Services have to go through the bidding process. Mr. Murrell and Assessor Jamie Shepherd have prepared a Notice To Bid for Professional Appraisal Services to be advertised. Each bid must include all three services to be considered. Bid packages have been prepared and are available through the Assessors' offices. All bids are to be received no later than 8:30 a.m. on Monday, March 16, 2009, to be opened at 9:00 a.m. on the 16th. The contract must be executed by April 15, 2009. A motion was made by Mr. Thompson to approve the Notice to Bid for Assessment Services, to be advertised one time in the Kokomo Herald and Kokomo Tribune. The motion was seconded by Mr. Moore and carried.

IN THE MATTER OF COMMISSIONER ISSUES:

1. **Reach Higher Kokomo:** Mr. Moore took part in Reach Higher Kokomo, an Economic endeavor to build an immediate plan of action for economic concerns for the citizens of Howard County. Several local agencies were represented and it was the consensus to plan a work fair open to the public, allowing service providers the opportunity to be available for questions and to distribute information throughout the community.
2. **Thank You:** Mr. Thompson thanked all in attendance for coming and for their patience.
3. **Weights And Measures Reports:** The Annual Weights and Measures report for the year ending December 16, 2008 and the Monthly report for the month of January 15 to February 15, 2009 were submitted and accepted on a motion made by Mr. Thompson and seconded by Mr. Moore.
4. **Monthly Veterans Service Report:** The monthly Veterans Service Officer's Report for the month of January, 2009 was submitted and accepted on a motion made by Mr. Thompson and seconded by Mr. Moore.
5. **Stimulus Package Projects:** The Board of Commissioners has submitted a listing of several projects under consideration for the anticipated Stimulus Package funds. Among those projects are the Darrrough Chapel Sewer project, New London Conservancy District, Gamble, Kitty Run, Snyder and Rice/Bell Drains, and various bridges and roads.
6. **Passing Of Charlie Cropper:** President Trine acknowledged the passing of Mr. Charlie Cropper this past week. Mr. Cropper affected the lives of many people in Kokomo, during his lifetime. Mr. Trine is grateful for the work Mr. Cropper has done.

There being no further business to come before the Board of Commissioners at this time, the meeting was adjourned at 5:50 p.m. on a motion was made by Mr. Moore and seconded by Mr. Thompson.

HOWARD COUNTY BOARD OF COMMISSIONERS:

DAVID A. TRINE, PRESIDENT

WILLIAM THOMPSON, VICE PRESIDENT

TYLER O. MOORE, MEMBER

ATTEST:

ANN WELLS, AUDITOR

Howard County Board of Commissioners Meeting March 2, 2009