

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING JANUARY 4, 2010

The Howard County Board of Commissioners met in Regular Session on Monday, January 4, 2010, at 4:00 p.m. in Hearing Room 338 of the Administration Center. Those in attendance included President David Trine, Vice President William Thompson and Member Tyler Moore. 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 Trine. Commissioner Moore led in the Pledge of Allegiance.

IN THE MATTER OF APPROVAL OF MINUTES:

The minutes of the December 30, 2009 meeting were submitted by Auditor Ann Wells. The minutes were approved as submitted on a motion made by Mr. Moore and seconded by Mr. Thompson.

IN THE MATTER OF 2010 REORGANIZATION:

When President Trine opened the floor for nominations for President, Vice President Thompson, in light of the present situation, made a motion to maintain the current official member designation of Commissioner Trine as President, Commissioner Thompson as Vice President, and Commissioner Moore as Member, for the year 2010. The motion was seconded by Mr. Moore and carried.

IN THE MATTER OF HIGHWAY DEPARTMENT ISSUES:

Highway Department Engineer / Superintendent Ted Cain had no issues to submit to the Board at this time. He did inform the Board of the busy Christmas and New Year Season for the Highway Department with plowing, salting and sanding the roads. President Trine commented that he had been on the roads and saw the trucks doing their jobs. Commissioner Moore commented that he had received a call from a resident of Ivy Hills Subdivision concerning the streets in that subdivision. Mr. Cain reminded the Board that the Highway Department does not have enough funds or manpower to salt all subdivision roads. They will only salt subdivision roads that have dangerous hills. City roads are maintained by the City and the State Roads are maintained by the State.

In response to a question posed by Mr. Thompson, Mr. Cain reminded the Board that for roads that do not have a speed limit posting, the speed limit is fifty-five (55) miles per hour.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

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

1. **Jail Population:** The current inmate population is three hundred nine (309) with forty-five (45) being females. Sheriff Talbert distributed copies of an invitation from the Miami County Sheriff's Office to the Board of Commissioners concerning an Open House for all those affiliated with Criminal Justice. The Open House is for their new jail facility, and will be held on Wednesday, January 6, 2010 from Noon until 6:00 p.m., at 1104 West County Road 200 North, Peru, Indiana.
2. **Reserve Officers:** Sheriff Talbert's goal for this year is to be able to appoint an additional Reserve Deputy for the reserve program. Several candidates have applied for the reserve program and has one especially in mind. He will have a calculation of hours to submit to the Board at the next meeting.
3. **Decrease In Inmate Medical Costs:** Because Sheriff Talbert has contracted with companies that specialize in inmate medical care and pharmaceutical needs that are outside of Howard County, it has saved the County about \$50,000.00 in pharmaceutical costs. Medical care is now provided by HPL, in the amount of \$40,632.00 annually, and this is the last year of the present contract. In the interest of using local businesses, Mr. Trine asked Sheriff Talbert if a local physician or medical facility could be used for inmate medical care. Sheriff Talbert reminded the Board that a local physician at one time, had been contracted for inmate medical care, but that he had to discontinue service at the insistence of his Insurance Company. Because of the high number of inmate instigated lawsuits against jail medical personnel, a local physician cannot handle insurance costs for malpractice coverage. Kinsey Youth

Center is currently contracted with a local physician for their residents' care. There are very few jail facilities in Indiana that still have local medical care.

IN THE MATTER OF PLAN COMMISSION ISSUES:

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

1. **Ordinance No. 2009-BCCO-39:** Ordinance No. 2009-BCCO-39 (Case 6-CZ-09) is a request to rezone property located at 3211 West Jefferson Street (Scott & Carrie Perkins) from R-1 (residential) to C-1 (light industrial). This request received a favorable recommendation by the Plan Commission. Ordinance No. 2009-BCCO-39 was approved on a motion made by Mr. Moore and seconded by Mr. Thompson.
2. **US 31 Corridors Plans:** The consultants are currently working on planning information received from the previously held Public Meetings, and Mr. Boise expects to hear something from them by the end of this month.
3. **Rejected Proposed Zoning Ordinance:** Mr. Boise is waiting on the Board's consideration of the Plan Commissions' disapproval of the Commissioners' rejection of the Proposed Zoning Ordinance. Mr. Boise has sent out an outline document including his comments in hopes that it would help the Commissioners with this issue. At the request of Mr. Thompson, he is preparing a document that lists portions of the Proposed Zoning Ordinance alongside corresponding concerns. The consultant that has been working on the new Ordinance is available to meet with the Board of Commissioners and the Plan Commission Board on Thursday the 7th, at 1:00 p.m. at the Plan Commission Office.

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. **December 31st Ball Drop And Fireworks Display:** Mr. Reed informed the Board that Mr. John Wiles called his office and Mr. Reed was able to confirm that the Maintenance Department had no negative issues resulting from the New Year's Eve Ball drop and Fireworks Display on December 31st.
2. **Truck Theft Claim Withdrawn:** Mr. Reed received a letter from our Insurance Company stating that the amount of the stolen contents of the Maintenance Department Truck did not meet the County's Deductible. The claim had to be withdrawn.
3. **Elwood And Simplex Contracts:** Mr. Reed has not yet received the contracts back from Elwood and Simplex. He hopes to be able to submit them at the January 19th meeting.
4. **Hot Water Issues In The Administration Center:** The hot water issue at the Administration Center has been rectified.
5. **Employee Parking:** Mr. Reed and his office are reviewing the current employee parking permit situation.

IN THE MATTER OF PERSONNEL DEPARTMENT ISSUES:

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

1. **Thank You To Commissioners:** Ms. McKillip issued a "Thank You" to the Board of Commissioners for the successful Employee Christmas Party held December 16th.
2. **COBRA Extension:** On December 19th, President Obama extended the COBRA Insurance coverage at a lower rate, from nine to fifteen months, for employees that leave Howard County employment in the next six months.

3. **Anthem Open Enrollment:** Ms. McKillip reported that Open Enrollment for the County's health insurance went well. Her office is currently working on the subsequent employee status changes. The Worker's Compensation report will be available the beginning of February, and Ms. McKillip reported that it was a difficult year for Howard County in the area of Worker's Compensation. She would like County Officials to meet with the safety director. There have been several ice-related falls, one being critical.

Ms. McKillip was thanked by the Board for all the work she and her office did for the Employee and Children's Christmas parties.

IN THE MATTER OF THE PROPOSED 2010 E911 BUDGET:

E911 Coordinator Nick Capozzoli submitted the Proposed 2010 E911 Budget. The E911 Department now has two funds they are working with. Fund 145 is supported by land line fees and will be appropriated for land line usage accounts, and fund 146 is supported by fees on wireless lines, for appropriate wireless usage. Mr. Capozzoli did add an additional line item, Education Materials (02372) to support the E911 training for Public Schools. That program is taught by Dispatcher Tracey Comfort. At the conclusion of ensuing discussion, a motion was made by Mr. Thompson to approve Ordinance No. 2010-BCCO-01, in the total amount of \$622,834.00, as submitted. The motion was seconded by Mr. Moore and carried.

Mr. Capozzoli informed Attorney Murrell that the legal team at Verizon Wireless is currently working on their contract.

IN THE MATTER OF THE PROPOSED TAX COLLECTION CONTRACT WITH ATTORNEY JEREMY PEELE:

Treasurer Martha Lake submitted a contract between Howard County and Attorney Jeremy Peelle for Tax Collection Services for the year 2010. Mr. Peelle's fee will be paid from the taxes collected in the amount of 30%. Mr. Peelle is polite, yet direct, in these dealings with delinquent taxpayers, and is willing to work with them. The Treasurer's Office does receive good results with him. The State has allowed for collection services provided the local fiscal body gives approval. At the conclusion of discussion a motion was made by Mr. Thompson to approve the Tax Collection Contract with Attorney Jeremy Peelle. The motion was seconded by Mr. Moore and carried.

IN THE MATTER OF PUBLIC COMMENT:

Mr. Trine opened the floor for Public Comment as follows:

Bob Wylie - Mr. Wylie is a resident of Liberty Township and is concerned about the possible Levy increase. He would ask that the Liberty Township books be completely audited. He is also concerned with the 600 foot of plastic fencing that was installed around Freeman Cemetery, by Mr. Grove, as well as the grading and seeding of the same cemetery. A concrete retaining wall was installed at the Lamb Cemetery, in the estimated amount of \$11,000.00. He would also like to know if the lawnmowers used belong to the Township Trustee or Liberty Township, as well as the diesel fuel tank located behind the Trustee's Office. The Trustee's office was built on private property, and according to what was reported in the paper, the Trustee is paying herself rent for that office.

President Trine informed Mr. Wylie that he does not have answers to the questions posed, yet, but the Board is looking into this matter.

Mike Williams – He is also a resident of Liberty Township and concerned about what he has been reading in the paper concerning the shortage of funds for Liberty Township. He has done some research and believes the Township Board is going the right direction. He asked that the Board of Commissioners give guidance as to how to proceed as citizens of this township. Things don't look right, as reported in the media, and he feels that looking into the books is the right thing to do.

Sheriff Talbert – asked Mr. Wylie how many times the Freeman Cemetery was mowed last year. This is a heavily wooded area and he believes it only needs to be mowed several times a year. He commented that the six-man Inmate Work Crew could have it mowed in an hour and only charge \$90.00. He also questioned the need for plastic fence around THE Freeman Cemetery. It is land locked and back into the woods with no public access. No one has been buried there in the last one hundred five years.

Auditor Wells – Informed all in attendance that the State Board of Accounts audits the Townships. A call could be made to the State Board of Accounts concerning the need for an audit of the year 2009. The Township Budget expenses for 2009 have to be advertised and should be published in the paper soon.

Sheriff Talbert – Was made aware that Mr. Wylie offered to mow Freeman Cemetery at no expense to the Trustee, and indeed, did mow it once. He was informed that he would be arrested if he trespassed on the land, again. The Trustee took title to the cemetery in 2008. Sheriff Talbert continued to inform the Board that there are several farmers in the County that mow ditches, cemeteries, etc. in order to help the County.

President Trine and Attorney Murrell informed citizens that the Board of Commissioners does exercise authority over the Township Trustee. Trustees are independently elected public officials who answer to their advisory boards and the voters. However, since the Liberty Township Trustee came to the Board of Commissioners to request a loan, the Board can request an audit. Mr. Trine has met with Ms. Grove concerning many of the issues in question. He thanked everyone for coming and voicing their concerns, and assured them that the Board is looking into this situation.

IN THE MATTER OF COMMISSIONER SALARY CLAIMS:

Auditor Ann Wells submitted the Salary, Hourly and Overtime Claims, payable January 8 and 15, 2010, in the amount of \$335,386.35 each. The salary claims were approved on a motion made by Mr. Moore and seconded by Mr. Thompson.

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

County Attorney Larry Murrell submitted the following issues to the Commissioners' for their information and approval:

1. **Administrative Meeting Minutes:** Minutes of the December 30, 2009 Administrative Meeting were submitted by Mr. Murrell and approved on a motion made by Mr. Moore and seconded by Mr. Thompson.
2. **Redevelopment Commission Reappointments:** The Redevelopment Commission is a five member Commission that began in 1995 for the Chrysler Financing and the payment of bonds. Mr. Murrell feels it is important to keep this and the Redevelopment Authority viable, and asks that the Board of Commissioners reappoint their three appointments to this Commission as follows:

Larry Hinesley
Philip Wise
Dale Etherington

A motion was made by Mr. Thompson to reappoint Philip Wise, Dale Etherington, and Larry Hinesley to the Redevelopment Commission for a term of one year, to expire December 31, 2010. The motion was seconded by Mr. Moore and carried.

3. **2010 Contract Log:** Mr. Murrell distributed copies of the 2010 Contract Log.

IN THE MATTER OF COMMISSIONER ISSUES:

Commissioner Moore: He has been approached by a Howard County resident with a request for start-up funds to locate a business in downtown Kokomo. A business plan has been submitted for a Jewelry and Art Design Studio that would include design and instruction.

Mr. Eric Myers, 724 W. Superior Street, Kokomo: Mr. Myers stepped to the podium to present this request. At present there is an established business, Angie Myers Design Studio, with two employees, and this plan would add instructors and classes, and move to the downtown area. They have chosen a building downtown and negotiated a lease. They are also working with the City for a low interest rate loan.

Commissioner Moore asked that the Board consider this request, and Mr. Trine suggested that they meet before the end of this month. Any action they take will be in the form of a recommendation and request to the County Council for their approval.

Mr. Moore will be hosting a Pack 3508 Wolf Den Boy Scout tour of the Administration Center, tonight, at 6:00 p.m.

Commissioner Thompson: He looks forward to another great year.

Commissioner Trine: Thanked Mr. Thompson, Mr. Moore, Mr. Murrell, and all the people the Board works with on a daily basis. He also thanked everyone for the vote of confidence they have given the Board of Commissioners.

There being no further business to come before the Board of Commissioners at this time, the meeting was adjourned at 5:14 p.m. on a motion made by Mr. Thompson and seconded by Mr. Moore.

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 January 4, 2010