

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING MAY 18, 2009

The Howard County Board of Commissioners met in Regular Session on Monday, May 4, 2009 at 8:30 a.m. in Hearing Room No. 338 of the Howard County Administration Center. Those in attendance included President Dave 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 Talbert and conducted by President Trine. The Pledge of Allegiance was led by Commissioner Moore.

IN THE MATTER OF APPROVAL OF MINUTES:

Minutes of the Regular Meeting dated May 4, 2009 and the Special Called Meeting dated May 11, 2009 were previously submitted and reviewed. The minutes of the May 4th Regular Meeting were approved on a motion made by Mr. Moore and seconded by Mr. Thompson. A motion was made by Mr. Moore to approve the May 11th Special Called Meeting. The motion was seconded by Mr. Thompson and carried.

IN THE MATTER OF HIGHWAY DEPARTMENT ISSUES:

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

1. **Request For Proposal (RFP):** At the February 20th meeting the Board of Commissioners approved to allow Mr. Cain to submit Requests For Proposals for Consultation for unspecified services having to do with projects that could be ready in anticipation of the proposed Stimulus Package from the Federal government. The State has to approve the RFP's that came back to Mr. Cain's office April 13th. Mr. Cain received six (6) proposals and after reviewing them, found that three were unresponsive. He has rated the three highest and assured the Board that even though they can approve up to three vendors, they don't have to use all three vendors.
 - a) Butler Fairman & Seufert
 - b) United Consulting
 - c) USI Consultants

The three of the listed vendors have been approved by the State and Mr. Cain recommends accepting each of the three vendors listed. He reminded the Commissioners that approval is not for a specific job but only to have permission to use their services. The three vendors that were not listed can be considered for other projects not listed in the State's specifications or other RFP's. A motion was made by Mr. Thompson to approve Mr. Cain's acceptance recommendation for Request For Proposals from Butler Fairman & Seufert, United Consulting and USI Consultants. The motion was seconded by Mr. Moore and carried.

2. **Use Of Butler Fairman & Seufert:** Now that the RFP's have been accepted, Mr. Cain would like to request the services of Butler Fairman & Seufert for the initial Stimulus Package projects. BFS has been crucial in the preparation of the Stimulus Project Application and have helped push the projects through the State and know the process. Mr. Cain has worked with them previously and has had a very positive relationship with them. Butler Fairman and Seufert have also sent the approved projects to the Greenfield, and 100% of the consulting fees will be covered by the Stimulus projects. A motion was made by Mr. Thompson, seconded by Mr. Moore and carried to approve the services of Butler Fairman & Seufert for construction inspection for the Stimulus Projects, subject to final approval of the contract.
3. **EMA Building:** The paving project for the EMA Building has not yet been decided.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

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

1. **Swearing In Officer Justin Markley:** The Sheriff's Department is down by two Deputies. Deputy Larry Sparks is on military leave and will be sent to the Middle East. Deputy Don England has taken retirement due to medical reasons. Sheriff Talbert has hired Deputy Justin Markley who will be leaving for academy, soon. Deputy Markley has worked in corrections as well as the Dispatch area and has been competent in both of those areas. Sheriff Talbert believes Deputy Markley will be a good asset to the Sheriff's Department. In the presence of Mr. Markley's family who were in attendance, Howard County Deputy Markley stepped to the front of the room with Clerk Mona Myers, to be sworn in. At its conclusion, Deputy Markley addressed the Board of Commissioners and informed them that it has been a life-long goal to work in law enforcement and he appreciates the opportunity to serve.
2. **Jail Population:** The current inmate population is three hundred forty-seven (347) which includes sixty-two females.
3. **New Kiosk For CJC Lobby:** A new kiosk has been installed in the visitor's lobby of the Criminal Justice Center, by Keefe, that has a large capacity cashbox.
4. **Pre-Paid Phone Cards And E-Mail For Inmates:** Pre-paid inmate phone cards and inmate e-mail will be ready for use sometime in mid-June. Pre-paid phone cards have now become necessary for two reasons. Land line usage is decreasing and cell phones cannot accept the collect calls inmates are allowed to make. The phone card that the Department will be using can be used outside of the CJC, after the inmate has been discharged.
5. **New Vehicles Ordered:** The new vehicles have been ordered from Bloomington Ford. Sheriff Talbert was informed that Ford Motor Company has exceeded its production capacity for 2009 Police Interceptor Crown Victoria. That means that Howard County will be receiving 2010 Crown Victorias at the 2009 price. Any improvements to that model will be issued without extra costs. Delivery is expected in August. Sheriff Talbert proceeded to read a letter received from Mr. Sam Robertson of Bloomington Ford, thanking the County for their business. Sheriff Talbert did ask to go on record concerning Commissioner comment concerning the possibility of modifying our current purchasing resolution to invite quotes from local entities, only (*please refer to page one, "In The Matter Of Sheriff Department Vehicle Quotes", of the Special Called Meeting dated May 11, 2009*). He does not believe the State's QPA is something to be avoided. He believes it would be wrong to exclude Bloomington Ford from future Invitations To Quote, and that goods should be purchased at the best price whether it is local or out of town. Quantity pricing is not a secret and local dealers have access to the information. They are welcome to match or undercut the QPA.

For the record, Commissioner Thompson believes that short-term answers aren't the only thing to consider. He believes that long-term results are what the Board of Commissioners should also be considering.

Sheriff Talbert ended his report with the following question. "If this was so important to them (local dealers) why were they not here?"

IN THE MATER OF PLAN COMMISSION ISSUES:

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

1. **Unsafe Property:** Concerning the unsafe property located at 1757 North County Road 1050 West, Mr. Boise reported that letters of notification have been sent to the owner, moving the process forward towards future demolition. The Public Hearing is scheduled for 4:30 p.m. on June 1, 2009. Mr. Murrell reminded the Board that they would be making a decision to affirm, modify or rescind the Order at that time.
2. **Flood Mitigation Property:** The Purchase Offer has been sent to the owner of the property at 2700 Dellwood Drive. Mr. Boise's office has not received word from the owner or the green certified card, at this time. In answer to a question posed by Commissioner Thompson, Mr. Boise responded that the owner can accept or decline the purchase offer. If the offer is declined, the owner keeps the property and the County has no authority to purchase. The County can then proceed with Unsafe Building procedures.

Mr. Boise believes the price offered by the Board of Commissioners is a fair price. The purchase funds have been received from the State and the local match money is available. Mr. Murrell reminded the Board that there is a mortgage on the property will be paid and deducted from the purchase price.

3. **U.S. 31 Corridors Plans:** The Plan Commission will be meeting on Tuesday evening and a presentation will be made at that time concerning the plans. The Council has asked that a presentation be made to them at their next meeting (May 26).

Membership has been determined for the Plan Commission Steering Committee.

Commissioner Trine gave his personal support to the proposed Wind Farm Ordinance. Discussion ensued concerning the Ordinance that will be addressed, also, at tomorrow night's Plan Commission Meeting. Mr. Boise reminded the Board that the Commission will need to strike a three-way balance between the people who want to make changes, the neighbor's who have to live with the changes, and the community's interest as a whole.

IN THE MATTER OF MAINTENANCE DEPARTMENT ISSUES:

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

1. **Fire Inspection:** At the conclusion of the fire inspection of the Courthouse, Administration Center and Government Center, provided by Elwood Fire, two issues were addressed. The first issue concerns the Courthouse sprinkler system. Pipes located in the basement, having to do with that system, have a significant amount of rust. Elwood Fire submitted a quote to replace the pipe, not to exceed \$2,550.00. The second issue concerns the Government Center and Howard Haven being alarmed but not monitored. Elwood quoted a one time fee of \$525.00 for each building to monitor both of the buildings, with a direct line to Dispatch (a matter of submitting a protocol to dispatch). Koorsen's fee would be \$300.00 annually. Mr. Reed believes that in the long run, Elwood's quote would save the county money. A motion was made by Mr. Thompson to take the two quotes under advisement until the June 1st meeting, for further review by the Board and Mr. Reed. The motion was seconded by Mr. Moore and carried.
2. **Howard Haven Replacement Door:** The installation of the replacement access door for the basement of Howard Haven has been completed. The Maintenance department will check the door to make sure it is sealed correctly. There is a drain at the bottom of the stairs and the Maintenance Department will address that issue as well.

Mr. Reed received a call from a company that would like the opportunity to quote for roof repair at Howard Haven. Several leakage issues have been fixed by the Maintenance Department but the building was last roofed in 1985. Most roofing jobs materials last fifteen to twenty years. Mr. Murrell suggested that since a roofing project would be a major project Mr. Reed would need to put together specifications before inviting quotes; he has sample specifications in his office.

3. **Strawberry Festival:** The Strawberry Festival is scheduled to be on Thursday, June 4, 2009 from 11:00 a.m. to 3:00 p.m. Main, Sycamore and Walnut Streets will be closed to traffic at 6:00 a.m. and Buckeye Street will remain open. Mr. Reed has submitted the information to the Courts for scheduling purposes.
4. **Courthouse Beautification Projects:** The next scheduled meeting for the Courthouse Beautification will be this Friday, May 22nd at 8:00 a.m.

IN THE MATTER OF AN INFORMATION ACCESS REQUEST SUBMITTED BY THE MEDIA:

On May 6, the County received a public records request for all emails from most county offices for the past 100 days. As this is the first request of this kind, in the State, Mr. Tribby commented that this is relatively uncharted territory and he believes we need to be careful in how we proceed with the request. Because we need to make sure that our local policies match with the State's policies, he will be meeting with a Public Access Counselor. The State and other counties will be watching how we respond to the ramifications of this request. The Association of Indiana Counties has also been contacted for their input. The issues involved include private / personal e-mails, our present personnel policies, and legal issues. The

biggest concern for Mr. Tribby is that someone is going to have to filter or redact every piece of e-mail to insure that no confidential information is passed along. If the IT Department has to redact or filter 50,000 pieces of e-mail, that's 50,000 minutes if each piece takes about one minute to filter. That's over 1,000 hours. Depending on the number of requests we receive, the IT Department will need additional employees or set up a Public Access Records Department. Mr. Tribby continued to review statistics regarding Howard County's accomplishments, and that those accomplishments show that Howard County employees work efficiently. There is no County, presently, that has a working e-mail Record Retention Policy. Bartholomew County is currently working on a policy, and if it is approved by the State, Mr. Tribby would recommend reviewing Bartholomew County's policy. Mr. Murrell has copies of that proposed policy and submitted copies to the Board of Commissioners.

Commissioner Trine commented that this request is nothing more than just a "bump in the road". Howard County will comply and work through this issue.

For the record Commissioner Thompson had two rhetorical questions and a comment as follows: (1) does the request have legal merit and (2) What are the County's responsibilities? With those questions "properly answered" the County must abide by the current law regardless of the reason for the request or the size and scope of the request.

Auditor Wells commented that she has received requests for "specific" information and has always complied.

Attorney Larry Murrell informed all present that this particular case regards a request directed to most of the office holders, for ALL e-mails for the past one hundred days. Does that request comply with the law? Mr. Murrell's opinion is that the request does not ask with "reasonable particularity" of what records are requested. The current law requires that when you make a request it must be made with "reasonable particularity". On the Board's behalf, Mr. Murrell denied the request. The denial has been challenged with a complaint filed with the Public Access Council. Mr. Murrell will respond to the complaint by May 27th. Howard County is fortunate to have an IT Department and Director with the expertise and capabilities that ours does. In his sixteen and a half years this is the first time that Mr. Murrell has denied a request from the media. Howard County does not have a history of being obstructive when it comes to public records: "when in doubt hand it out" has been Mr. Murrell's standing policy pertaining to public records. We must strike a balance when it pertains to e-mail messages, protecting records that are confidential, personal, deliberative, as well as other exceptions allowed by law. He concluded by assuring that Howard County does want to continue working with the media.

IN THE MATTER OF PERSONNEL DEPARTMENT ISSUES:

In the absence of Personnel Director Wanda McKillip, Auditor Wells informed the Board that Community Corrections Director Steve Maus has confirmed that Ms. Jayne Ribble is willing to serve another term on the Community Corrections Board as the previous term expired April 30, 2009. Mr. Don Bowling's term on the Howard Regional Health Systems Board of Trustees expires June 30, 2009. The Board of Commissioners will need to find a replacement for him. Ms. McKillip did submit copies of the Howard County Commissioner's Committee Appointments book that can be found in their individual mail boxes. A motion was made by Mr. Thompson, seconded by Mr. Moore and carried to table both the Community Corrections Advisory Board appointment and the Howard Regional Health Systems Board of Trustees appointment for further review.

IN THE MATTER OF HOWARD HAVEN ISSUES:

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

1. **Disposal Sheets For March 17 – April 21, 2009 And Inventory Sheets For March 17 – April 21, 2009:** Ms. Vary submitted Disposal Sheets and Inventory Sheets for March 17 – April 21, 2009. The reports were accepted as submitted on a motion made by Mr. Moore and seconded by Mr. Thompson.

The Home is operating at full capacity with twenty-three (23) residents.

2. **Pre-Approval For Future Resident:** Ms. Vary informed the Board that even though the Home is at full capacity, she would like to inform the Board of a pre-approval for a Mr. Donny Sparks, as an ARCH resident. No paperwork was submitted and no consensus was given at this time.
3. **New Freezer For Howard Haven:** Howard Haven has been operating with donated chest-style freezers for many years. Three freezers had to be disposed of because they were no longer in working condition. Mr. Trine would like to purchase an upright reach-in freezer that will be inside a climate controlled area

of the basement. A motion was made by Mr. Thompson to authorize President Trine to look for a freezer to purchase for Howard Haven. The motion was seconded by Mr. Moore and carried.

IN THE MATTER OF ISSUES SUBMITTED BY COUNCILMAN JAMES PAPACEK:

Councilman James Papacek submitted the following issues for the Commissioners' information and approval:

1. **Need For Privacy In Veteran's Service Office:** Mr. Papacek was invited by Veterans Service Officer Robert Ladd to visit the Veterans Service Office and view their operations. Mr. Papacek reported that there is no place in that Office for the Veteran's private matters.
2. **Dangerous Intersections On County Road 100 South:** The intersection of County Road 100 South and Highway 19 has seen 11 accidents and one fatality since September 1, 2008, that have been investigated by the Sheriff's Department. Mr. Papacek lives on County Road 100 South and has personally witnessed several of the accidents and was on the scene just after the fatality. At the urging of Sheriff Talbert, Mr. Papacek has contacted Indiana Department of Transportation (INDOT) to request a flashing light at that intersection, as well as large double stop signs on each side of the road. He also believes it would be beneficial to install rumble strips on County Road 100 South to assist the east/west traffic experiencing blinding sunlight. There are currently paint-on strips that don't impede snow removal vehicles. Excessive speeds have been reported by the Sheriff's Department. Also of concern is the intersection at County Roads 100 South and 200 East. The Sheriff's Department reports several accidents there, including one just last Friday night. Unfortunately Mr. Papacek came on the scene after a fatality, there, also. He believes the large double stop signs and installation of rumble strips would be effective at that intersection as well. County Road 100 South receives a lot of traffic from drivers that want to avoid State Road 35/22. He believes those two intersections warrant extra precautions.

Sheriff Talbert reported that he has contacted INDOT and they will be reviewing the situation at State Road 19 and County Road 100 South. He has also talked with Mr. Ted Cain about the possibility of extra precautions. Traffic at those intersections will increase as work begins for the new US 31 Freeway.

When asked by Commissioner Trine of the possibility of an Officer to track the traffic at those intersections, Sheriff Talbert responded that it was possible at the State Road 19 / 100 South intersection, but there is not a good place to watch at the intersection of County Roads 100 South and 200 East.

Mr. Thompson assured Mr. Papacek that the Board is aware of the lack of privacy issues with the Veteran's Service Office and they are working toward temporary and permanent solutions.

IN THE MATTER OF PUBLIC COMMENT:

President Trine opened the floor for public comment. Mr. Mike Bowyer and Mr. Mark Bowyer of Kokomo Gravel stepped to the podium to obtain information and place a complaint concerning the use of out of town trucking companies for the Kitty Run Project. Kokomo Gravel had to jump through hoops to be pre-qualified to work on this project and now it appears that ABC Trucking from Noblesville was given the subcontract. Mr. Bowyer believes this was a bait and switch situation. Mr. Trine will be meeting with MS4 Coordinator Greg Lake and Lee & Ryan concerning this project. Lee & Ryan is an out of town contractor hired by the EPA.

IN THE MATTER OF CLAIMS AND REPORTS:

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

1. **Salary Claims:** Commissioners' Salary, hourly and overtime claims payable May 22 and 29, 2009, in the amount of \$349,982.56 each, were submitted and approved on a motion made by Mr. Moore and seconded by Mr. Trine.
2. **Operating Claims:** Commissioners' Operating claims payable today, in the amount of \$214,203.86 were submitted and approved on a motion made by Mr. Moore and seconded by Mr. Thompson.
3. **Contested Claim:** Ms. Wells submitted a claim for tissues, from Superior Court IV, from their office supplies line item. Judge Hopkins submitted a letter concerning the need for tissues for juror use in the

courtroom. Though this claim cannot be paid for from their office supply line item, it can be paid for from the Juror supply line item in the Unified Courts account, with an attending cause number. A motion was made by Mr. Thompson to follow the existing rules for payment and request a Cause number to attach to the claim. The motion was seconded by Mr. Moore and carried.

4. **Request For Early Paid Claim:** Ms. Wells and three of her staff will be attending the Annual Auditor's Conference in French Lick this week. If Ms. Wells can bring a check, in the amount of \$476.00, with her to pay for the hotel rooms, the hotel will waive the taxes and resort fees. Ms. Wells requested that this claim be approved as an advanced payment according to Ordinance No. 2005-BCC-60, to be advertised on the next claims docket. A motion was made by Moore to approve the advance payment of \$476.00 for hotel fees, in accordance with Ordinance No. 2005-BCC-60. The motion was seconded by Mr. Thompson and carried.
5. **Clerk's Report:** The Monthly Clerk's Report for the month ending April 30, 2009 was submitted and accepted on a motion made by Mr. Moore and seconded by Mr. Thompson.
6. **Treasurer's Monthly Report:** The Treasurer's Report for the month ending April 30, 2009 was accepted as submitted on a motion made by Mr. Moore and seconded by Mr. Thompson.
7. **Congressional School Fund:** At the May 4th meeting Ms. Wells submitted an annual report to the State Superintendent of Public Instruction concerning the Congressional School Fund for Howard County. Upon accepting the report, the Board asked for further clarification concerning this fund as follows (*please refer to page six, item four, "In The Matter Of Claims And Reports" of the Regular Meeting minutes dated May 4, 2009*). Chief Deputy Laurie Martin states, "We have had \$22,477.77 in this fund for "100" years. At one time residents could borrow money from the fund for the purchase of property and pay it back with 4% interest. The interest is then disbursed to the five schools in Howard County. We no longer have any loans out against that money and we have to pay the interest to the schools from the General Fund. We pay a total of \$449.56 twice per year". Ms. Wells suggested, if there are no loans out, that we send the money to the State. Ms. Wells and Ms. Martin will look into this issue with the State.

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

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

1. **Barnes & Thornburg Invoice:** Mr. Murrell submitted an invoice from Barnes & Thornburg in the amount of \$776.00 for services in connection to Delphi Bankruptcy matters for a period ending March 31, 2009. Mr. Murrell informed the Board that we will be seeing invoices pertaining to Chrysler bankruptcy matters, soon. The invoice was approved for payment on a motion made by Mr. Moore and seconded by Mr. Thompson.
2. **Ordinance No. 2009-BCCO-16:** This is an ordinance of the Howard County Board of Commissioners amending Resolution No. 2004-BCC-18 (as amended by Resolution No. BCC-2005-06) and section 5.4 of the Howard County Personnel Policies Handbook, with regard to use of County computers, internet and e-mail. Mr. Murrell advised the Board that, to his understanding, the current position of the Indiana Public Access Counselor is that appropriate personal email messages unrelated to County business do not constitute public records for purposes of the Indiana Access to Public Records Act, IC 5-14-3-1. With that in mind, this Ordinance amends the 4th and 7th full paragraphs of the current policy to bring it in line with the Public Access Counselor's position. The amendment reads as follows:

Exclusive Property:

"All equipment, services and technologies provided to employees as part of Howard County's computer system constitute the exclusive property of Howard County. Similarly, all information composed, transmitted, received or stored via the County's computer system is also considered the property of Howard County for the purpose of maintaining the integrity of the system. As such, all such information is subject to disclosure to County officials with or without notice to the employee. Provided, however, this provision shall not be construed as rendering personal email messages unrelated to County business

public records for purposes of the IAPRA. Accordingly, employees must ensure that all information communicated via the County's computer system (except for personal messages permitted by this policy) is accurate, appropriate, ethical, and serves a legitimate business purpose."

Email Monitoring:

"Howard County routinely monitors employee usage patterns for its e-mail and Internet communications. The reasons for such monitoring include cost analysis/allocation, management of the County's gateway to the Internet and compliance with the County's policy regarding the use of its e-mail system and Internet access. All information created, sent, or retrieved over the County's e-mail system or via the internet is the property of the County and, in order to maintain the integrity of the system, the County specifically reserves the right to access and monitor all messages and files on the County' computer system, including the restoration of files that have been previously "deleted;" provided, however, this provision shall not be construed as rendering personal email messages unrelated to County business public records for purposes of the IAPRA. Employees should not assume any electronic communication is totally private and, accordingly, should transmit highly confidential data in other ways. The County reserves the right to block objectionable internet sites."

At the conclusion of discussion a motion was made by Mr. Moore, seconded by Mr. Thompson and carried to approve 2009-BCCO-16 as submitted.

3. **Criminal Justice Committee Meeting:** There will be a Criminal Justice Committee meeting at 4:00 p.m. on Wednesday, June 3rd.

IN THE MATTER OF COMMISSIONER ISSUES:

1. **Township Appeals:** Hearing Officer Tyler Moore submitted the following two Township Appeal Hearings from last Friday:
 - a) Patricia M. Butcher, Center Township – It is Commissioner Moore's recommendation to uphold the trustee's denial. A motion was made by Mr. Moore, seconded by Mr. Thompson and carried to uphold the denial of assistance.
 - b) Christine Nix, Center Township – The denial was withdrawn by the Township Trustee therefore no hearing was needed and assistance was provided.

The Homebuilders Association is preparing their media guide for the Parade of Homes and would like letters from the Board of Commissioners and the Mayor of Kokomo. With the Board's permission, Mr. Moore will draft the letter on behalf of the Board of Commissioners. The kick-off for the Parade will be on June 11th at the Country Club. All the Commissioners will be invited and Mr. Moore will be happy to give a statement.

There will be further discussion concerning the Proposed Wind Ordinance at the Plan Commission tomorrow night. Mr. Moore has spoken with representatives from both Wind Turbine companies that have expressed an interest in developing in this area. They have expressed concerns with the revised ordinance. Mr. Moore took those concerns to Attorney Brian Oaks last Friday and will discuss the concerns with Mr. Boise and the sub-committee before Tuesday night's meeting.

There will be a Courthouse Beautification meeting this Friday at 8:00 a.m. The landscapers will be there with plans and are just waiting for direction from the Board of Commissioners. Mr. Trine would like to schedule a Special Session to iron out the issues. There are a number of groups who believe their plan is THE plan. By consensus, the Board scheduled a Special Session for Thursday, May 21, 2009 at 3:00 p.m.

2. **Commissioner Thompson submitted the following concerns:** Wind generators are huge in this country, right now. He believes that citizens and government officials need to get on board and do what needs to be done to help the developers with the process. Wind farms are here and they do help us provide our own energy.

President of the Howard County Plan Commission, James Papacek, stepped to the podium to assure the Board that the Plan Commission realizes how important this issue is. They just want to make sure that every issue of the proposed Wind Ordinance is in order.

3. **Commissioner Trine:** Pertaining to the Wind Ordinance, Commissioner Trine is concerned that Howard County not be seen as obstructionists. This is a two million dollar project and the developers are not going to "dilly-dally around".

The Information Systems Department would like to host an Access of Records technology training seminar (about 400 people), and Mr. Trine asked for clarification from Mr. Murrell whether the Board of Commissioners has the authority to waive the fees of the Kokomo Event Center. Mr. Murrell responded that even though Howard County does donate money for operating expenses and the salary of one employee, and has influence, the Board of Commissioners does not have the authority waive fees. The Center's Board of Directors sets the policy for the Kokomo Event Center. Mr. Murrell believes the Board of Commissioners has a right to ask for a reduction in fees. Discussion ensued.

There being no further business to come before the Board at this time, the meeting was adjourned at 11:20 a.m. on a motion 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 Commissioner Meeting May 18, 2009