

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING MAY 4, 2009

The Howard County Board of Commissioners met in Regular Session on Monday, May 4, 2009 at 4:00 p.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 Marshall Talbert and conducted by President Trine. Commissioner Moore led in the Pledge of Allegiance.

IN THE MATTER OF THE APPROVAL OF MINUTES:

The minutes of the Regular Meeting dated April 6, 2009 were previously submitted and tabled until the May 4th meeting (*please refer to page one, "In The Matter Of Approval Of Minutes" of the Regular Meeting minutes dated April 20, 2009*). The minutes of the Regular Meeting dated April 20, 2009, having been previously submitted and reviewed, were approved on a motion made by Mr. Thompson and seconded by Mr. Moore. The minutes of the April 22, 2009 Administrative Meeting were submitted, reviewed and approved on a motion made by Mr. Thompson and seconded by Mr. Moore.

IN THE MATTER OF UPDATING THE BOARD OF COMMISSIONERS CONCERNING THE HEALTH DEPARTMENT'S RESPONSE TO THE H1N1 VIRUS:

Jennifer Sexton, Health Department Nursing Coordinator, distributed copies of an information sheet concerning the current local and International status of the H1N1 virus (Swine Flu). Currently in Indiana there are three (3) confirmed cases of the H1N1 virus and eleven (11) probable cases. Ms. Sexton called attention to the Indiana State Health Department's call center for anyone who has a question concerning the virus. Howard County has no confirmed human cases of the H1N1 Influenza. We need to be vigilant in our efforts to keep the virus at bay, but there is certainly no cause for alarm. The Health Department continues to work with the Emergency Management Agency and has a Pandemic Plan in place, and Ms. Sexton is the public liaison. Ms. Sexton then reviewed the listing of Basic Public Health Measures that are to be used, as follows:

- 1) Cover your nose and mouth with a tissue if you cough or sneeze; if a tissue is unavailable cough into your upper sleeve rather than your hands.
- 2) Discard used tissues immediately.
- 3) Wash your hands frequently with adequate soap and water, use alcohol based hand sanitizer if hand washing facilities are not available.
- 4) Avoid contact with sick people.
- 5) If you are ill, stay home from school or work to avoid infecting others.
- 6) Avoid touching your eyes, mouth, and nose as germs spread very easily that way.
- 7) DO NOT give sick children aspirin as it can cause a serious illness called Reye's syndrome.

Ms. Sexton will be in contact with the Board of Commissioners concerning a Pandemic meeting with the new Board.

IN THE MATTER OF HIGHWAY DEPARTMENT ISSUES:

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

1. **Annual Operating Budget:** At the April 20th meeting Mr. Cain informed the Board that his office had completed the Annual Operating Budget and was just waiting for it to be reviewed for corrections (*please refer to page one, item three, "In The Matter Of Highway Department Issues" of the Regular Meeting minutes dated April 20, 2009*). Mr. Cain now submits the operating budget for the Board's review and

approval. A motion was made by Mr. Thompson to accept the 2008 Annual Operating Budget. The motion was seconded by Mr. Moore and carried.

2. **Paving Work At EMA Building:** The Highway Department is ready to begin the asphalt paving project for the new EMA building, and Mr. Cain would like to know which paving plan the Commissioners approve. He assured the Board that any finish work to be done by C & Z Construction would not interfere with the project. It was the consensus of the Board to table this decision.
3. **Flooding Problems At Regulated Drain Located At 350 South:** Commissioner Moore received a phone call from a couple concerning a culvert along County Road 350 South that is draining a lot of water and causing flooding, from construction on State Road 26. They would like to meet with officials about the situation. Mr. Cain has not been contacted by the couple Mr. Moore referred to, but has talked with Surveyor Dan Minor about this issue. The area referred to is on a regulated drain and does not have a history of flooding and Mr. Cain believes that the County should look at the area to determine if the present sized culvert is sufficient. If it is not, we need to contact the State for funds from the New 31 Freeway Project to help us replace the culvert, since work associated with the Project is causing the additional water flow. Mr. Cain will contact the couple about this issue.
4. **Stimulus Plan:** Mr. Cain is still awaiting word from the State concerning the Stimulus Package Project funds. Mr. Cain has a meeting with State personnel on Wednesday.
5. **Dangerous Intersections:** Sheriff Talbert shared concerns he has with the number of accidents at the intersection of County Roads 100 South and 200 East. Mr. Cain and Sheriff Talbert will work together to get an accurate accident count with the possibility of adding more signage. Another dangerous intersection is State Road 19 and County Road 100 South. Sheriff Talbert is compiling accident statistics to submit in a letter addressed to the Indiana Department of Transportation. It was the consensus of the Board to endorse the Sheriff's letter to INDOT.

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 count is three hundred thirty-nine (339) including fifty-nine (59) females. Forty-eight inmates were booked in over the weekend and twenty (20) were booked out.
2. **Vehicle Quotes:** Sheriff Talbert submitted the following quotes for six (6) new vehicles as follows:

Eric Chevrolet / Tahoe	\$156,400.00	with Trade-in
Button Motors Dodge / Charger	\$127,948.00	with Trade-in
Kokomo Auto World / Crown Vic	\$125,773.50	with Trade-in
Bloomington Ford / Crown Vic	\$123,441.50	with Trade-in

All quotes are responsive to the specifications. Brad Howell Ford did not submit a quote but did offer to service any Ford vehicles. The lowest responsible and responsive quote is Bloomington Ford, in the amount of \$123,441.50. Sheriff Talbert reminded the Board that Bloomington Ford is the State's QPA. There are several issues that Sheriff Talbert is concerned with. The first (1) is that General Motors will be going on a nine-week shut down. Will newly ordered vehicles be available before the shut down or will they have to wait until after the nine weeks before receiving the vehicles? (2) Because of the Chrysler bankruptcy and possible change of ownership, will the government or any new owner honor the warranties? (3) There is some controversy over the two-tone paint color. There is an Administrative code that specifies the brown/tan paint color for Sheriff's vehicles; there is no penalty written into the code. The paint job can be expensive. (4) There is a May 15th deadline for ordering the 2009 Crown Victoria. Discussion ensued concerning the importance of buying locally and the legality of not using the lowest quote. Mr. Murrell reviewed the policy for Invitations to Quote with the Board of Commissioners, advising them that IC 5-22-8-3 states that they "...must accept lowest responsible and responsive offer". The Board does have the authority to refuse all quotes and begin the process again. At the completion of discussion, a motion was made by Mr. Thompson to take the quotes under advisement for further review

and set a Special Session for 8:00 a.m. Monday, May 11, 2009 in Hearing Room 338 of the Administration Center. The motion was seconded by Mr. Moore and carried.

3. **Hoosier Safety State Radio System:** Mr. Thompson asked for Sheriff Talbert's information and opinion concerning the State-wide radio system. Sheriff Talbert informed the Board that he is a proponent of the Hoosier Safety Statewide radio system. It has its own source of funding and there are one hundred twenty-seven (127) towers located in the ninety-two Indiana counties. If a lightning strike or tornado would disable a tower, the neighboring tower will take over receiving the signal. The audio is clear and not affected by the weather. The State maintains the towers and equipment and the counties supply their own radios; this is a monitored system with live people that can be accessed twenty-four / seven, three hundred sixty-five days a year.

IN THE MATTER OF PLAN COMMISSION ISSUES:

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

1. **Flood Mitigation:** Attorney Murrell submitted the Offer to Purchase the property located at 2700 Dellwood Drive, subject to the receipt of the grant funds. Once the County receives ownership, they can proceed with demolition of the buildings. A motion was made by Mr. Thompson, seconded by Mr. Moore and carried to approve and sign the agreement to purchase property located at 2700 Dellwood Drive. Mr. Murrell informed the Board that there is a mortgage that will need to be paid.
2. **Unsafe Building:** In 2003 Mr. Boise had issued an Order to Demolish for property located at 1757 North County Road 1040 West. Because an Order expires after two years, Mr. Murrell submitted to the Enforcement Authority a new Order to Demolish for that property and recommends that a Public Hearing be set for June 1, 2009. A copy of the Order to Demolish will be sent to the owner and Mortgage holder. A motion was made by Mr. Moore to set a Public Hearing date on the Order for 4:30 p.m. on Monday, June 1, 2009, in Hearing Room #338 of the Administration Center. The motion was seconded by Mr. Thompson and carried.

Concerning the Unsafe Property located at 1001 East Alto Road, Mr. Boise was contacted by the owner of the property who cited several reasons why he was not able to maintain the property. Mr. Boise asked him to please send a letter to the Plan Commission Office outlining his situation. Mr. Boise is awaiting receipt of the letter and will try to contact the owner again.

3. **U.S. 31 Corridors Plans:** Concerning US 31 issues, Mr. Boise has two requests for the Board of Commissioners as follows:
 - a) Appoint a member to the US 31 Steering Committee
 - b) Confirm if the Board would like a presentation from the consultant

A presentation will be made at the Plan Commission meeting scheduled for May 19th at 7:00 p.m. It was the consensus of the Board to attend the May 19th meeting for the presentation previously scheduled. A motion was made by Mr. Moore to appoint Commissioner Thompson to the US 31 Coalition Committee. The motion was seconded by Mr. Thompson and carried.

IN THE MATTER OF MAINTENANCE DEPARTMENT ISSUES:

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

1. **Sump Pump In The Adult Probation Office:** Benchmark Mechanical was in last Saturday to cut the hole for the sump pump and the trenches to it. The actual pump and pit should arrive in a few weeks.
2. **Entry Door At Howard Haven:** The new door has been installed at Howard Haven and sealing work is progressing and will be finished this week.

3. **Leak In Administration Center Server Room:** There is a ¾ inch drain in the upper condensation pan in the roof of the 4th floor. The pan overflowed causing leakage in the server room at the Administration Center. The Maintenance Department has installed a 1 ½ inch drain in conjunction with the ¾ inch drain to eliminate the overflow problem. Discussion ensued concerning the possibility of moving the servers from the 4th floor. Information Systems Director Terry Tribby did comment that because of flooding issues, servers are typically not located in a basement.
4. **Change In Smoking Policy:** Mr. Thompson asked Mr. Reed to comment on the progress of the new smoking policy at the Courthouse. Mr. Reed commented that he would like to see an inside access to the North side of the Courthouse.

IN THE MATTER OF PERSONNEL DEPARTMENT ISSUES:

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

1. **Smoking Cessation Seminar:** The Smoking Cessation Seminar, sponsored by the Board of Commissioners, is tomorrow from 11:00 a.m. to 1:00 p.m. in room 101 of the Government Center. Twenty (20) employees have signed up to attend and there will be free pizza and drinks.
2. **YMCA Fundraiser Update:** The "Biggest Loser" of the YMCA Fundraiser was Lieutenant Jerry Asher. The person to raise the most money for the YMCA program was Captain Harold Vincent. Ms. McKillip expressed appreciation to Miles & Finch Insurance Agency, Howard Regional Hospital and Weight Watchers for their gifts and help with the fundraiser. \$1,400.00 was raised, in total, for the YMCA.
3. **H1N1 Flu Supplies:** Ms. McKillip thanked Mr. Reed for ordering hand sanitizer for all County offices, excluding the Sheriff's Department, Highway and Kinsey (supplied their own). Mr. Reed will purchase more to keep on hand for further use. Larry Smith of the Emergency Management Agency asked that the EMA building be supplied with hand sanitizer. Because EMA is not typically considered a County Office, Ms. McKillip asked for authority from the Board for this request. By consensus the Board authorized Ms. McKillip to supply the EMA building with hand sanitizer. Mr. Thompson asked if there were funds to underwrite the costs of emergency supplies and Ms. McKillip assured the Board that money is in the Commissioners' fund for emergency supplies. \$1,000.00 was budgeted for 2009.
4. **Red Emergency Book Update:** After the Disaster Committee has their meeting, the Red Emergency Books in each office will be updated. These books have to track all employees in the department and have copies of supplies and forms to be used for that office.

IN THE MATTER OF INFORMATION SYSTEMS DEPARTMENT ISSUES:

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

1. **Server Grant Approval:** The grant for the Tax Server has been approved and the new server has been ordered. Mr. Tribby is excited about this project that consolidates three servers into one very powerful server, yet being able to retain their separate identities. This gives the IT Department the power to control individual department server needs. The IT Department has been doing a lot of research on the capabilities of this new system and they are excited to get started.

As part of the Phase I Certification Project the IT Department will begin installing the new work stations starting with the Treasurer's Office.

The State has delayed Phase II of this project for six months. Mr. Tribby says this gives the County much needed time to complete the project. We are the testing site for the Proval software and have completed our first install. When this project is completed, it will enhance the efficiency of the Assessment, Auditor and Treasurer offices.

2. **Replaced Work Stations:** The County can either trash or refurbish the work stations that have been replaced. Mr. Tribby would like to salvage the stations and provide them to people at a low cost. The IT

Department would remove all government software (seven times, removing all confidential information) then reinstall office software making them a usable work station. Mr. Tribby has looked at different ways to market the used work stations and would like to possibly use e-bay or a marketing internet site called propertyroom.com pricing them at \$50.00 to \$75.00 per station. He will research the options.

3. **Teleconferencing Unit:** The teleconferencing unit will be installed in the Commissioners Conference Room (220D) tomorrow (*please refer to page four, item five, "In The Matter Of Information Systems Department Issues" of the Regular Meeting minutes dated February 16, 2009*). Integrity Business Communications Inc will rewire for a second phone line in the room. The unit has very clear audio pickup and it can be muted while the conferencing is still going on.

Mr. Tribby agrees with the Sheriff's comments concerning the Hoosier Safety State Radio Program and is willing to do what is needed.

IN THE MATTER OF PUBLIC DEFENDER ISSUES:

Public Defender Steve Raquet submitted the following issues for the Board's information and approval:

1. **Equipment Requests:** Mr. Raquet requested the use of his Supplemental Fund to purchase a new filing cabinet, not to exceed \$500.00. The office is also in need of a pew type bench for seating of clients when they are sent from the Courts. His office currently has only four chairs and sometimes there are more than fifteen people waiting in their office. Mr. Raquet would like to purchase a bench in an amount not to exceed \$350.00. At the conclusion of discussion, a motion was made by Mr. Thompson, seconded by Mr. Moore and carried to approve the purchase of a new filing cabinet not to exceed \$500.00 and a pew type bench not to exceed \$350.00.
2. **Additional Storage Facility:** Because the Public Defender's Office has been directed by the State to keep all files forever, Mr. Raquet requests authorization to purchase of a rental storage facility at a monthly cost of \$150.00, to be paid from the Supplemental Fund. These files are crucial to Petitions for Post Conviction Relief Cases (to set aside a conviction) and death penalty cases. He does not have a facility in mind at this point, but will need a secure facility that possibly would be fenced in. Commissioner Trine informed Mr. Raquet that at the conclusions of negotiations with Key Bank for use of the Administration Center, the County may have storage space available. Mr. Raquet can postpone this request for several months.
3. **Payables Voucher For Collect Calls:** Mr. Raquet's office submitted a claim on his behalf for reimbursement of collect calls from inmates, for the year of 2008. The Auditor's Office questioned the claim because it was for the previous year and because funds from 2008 were not encumbered to 2009 to pay for the charges. At the conclusion of discussion a motion was made by Mr. Thompson, seconded by Mr. Moore and carried to approve the reimbursement claim for the Public Defender's Office.

IN THE MATTER OF THE COMMUNITY CORRECTIONS GRANTS:

Community Corrections Director Steve Maus submitted copies and signature pages of their grant, in the amount of \$401,074.00. Grant EDS D-25-10-204, in the amount of \$401,074.00 was approved for signature on a motion made by Mr. Thompson and seconded by Mr. Moore.

IN THE MATTER OF CLAIMS AND REPORTS:

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

1. **Salary Claims:** County salary, hourly and overtime claims payable May 8 and May 15, 2009, in the amount of \$349,982.56 each were approved on a motion made by Mr. Moore and seconded by Mr. Thompson.
2. **Operating Claims:** County Operating Claims payable today, in the amount of \$415,271.46 were approved as submitted on a motion made by Mr. Moore and seconded by Mr. Thompson.

3. **Box Shop Mail Usage:** At the last Commissioner Meeting Ms. Wells reported that she had only received one response from the Courthouse concerning usage of the Box Shop mailing service (*please refer to page six, item six, "In The Matter Of Claims And Reports", of the Regular Meeting minutes dated April 20, 2009*). Since that meeting she has learned that Superior Courts I, II and IV have also used the services of the Box Shop for mailing needs. Currently the Sheriff's Department has a contract with the Box Shop and that contract provides the addition of other offices by having the Board of Commissioners notify the Box Shop with those additions. A motion was made by Mr. Thompson to add Superior Courts I, II and IV to the contract with The Box Shop, and to notify The Box Shop of those additions. The motion was seconded by Mr. Moore and carried.
4. **Annual Report To The State Superintendent of Public Instruction:** Auditor Wells submitted the Annual Report of the Board of Commissioners of Howard County to the State Superintendent of Public Instruction for the year ending April 30, 2009. This report lists figures for the Common School Fund (including Charter Schools) for Howard County. At the conclusion of ensuing discussion and explanation, the report was accepted and signed on a motion made by Mr. Thompson and seconded by Mr. Moore. Ms. Wells will obtain further clarification of the school funds for the Board's information.
5. **Appointment To Executive Council of the Regional Elected Officials For The Region 4 Workforce Board:** Ms. Wells submitted the Local Elected Officials Agreement to appoint an Elected Official to the Region 4 Workforce Board. Mr. Trine, Mr. Moore, Mr. Thompson, and Mayor Goodnight are eligible for appointment and Mayor Goodnight has already signed the Elected Official's Agreement. A motion was made by Mr. Thompson, seconded by Mr. Moore and carried to approve the appointment of Mayor Greg Goodnight to the Executive Council of the Regional Elected Officials for the Region 4 Workforce Board, and authorize the President to sign on behalf of the Board of Commissioners.

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

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

1. **Incumbent Acknowledgement:** This Incumbent Acknowledgement is submitted on behalf of Keller & Heckman for services as it pertains to the Sprint/Nextel Rebanding Project. A motion was made by Mr. Thompson to approve the Incumbent Acknowledgement to be forwarded to Sprint/Nextel for payment, and authorize the President to sign on behalf of the Board of Commissioners.
2. **Equipment Request From Cumulative Capital Fund:** Mr. Murrell needed to replace his office's paper shredder and asks that he be reimbursed from the Cumulative Capital Fund, in the amount of \$49.84. A motion was made by Mr. Thompson to approve the reimbursement of the paper shredder from Cumulative Capital Funds in the amount of \$49.84. The motion was seconded by Mr. Moore and carried.
3. **Claim For Tax Sale Litigation Settlement:** Mr. Murrell submitted a proposed settlement with NTA as follows: "...a settlement has been proposed which would require the County to pay \$15,000.00 to NTA in full satisfaction of October 15, 2008 Court Order. SRI would pay another \$15,000.00 to NTA in return for a release of all claims against SRI by the County. NTA would forego the balance of \$17,000.00 principal plus all interest. The County's claim against the owners would be dismissed." Mr. Murrell recommends the payment of the proposed \$15,000.00 to NTA to settle the claim. A motion was made by Mr. Moore, seconded by Mr. Thompson and carried to approve the payment of the \$15,000.00 claim to NTA and authorize President Trine to execute the settlement documents on behalf of the Board of Commissioners.
4. **Annual Jail Building Corporation Meeting:** This is a separate Board that manages the bonds from the jail. A letter was received from Harris Bank (trustee) informing the Corporation that a new trustee needs to be appointed. Harris Bank recommends the services of UMB Bank from Indianapolis and they would be able to assume the duties of trustee. Mr. Murrell also recommends UMB Bank for the duties of Trustee. It was the consensus of the Board of Commissioners to appoint UMB Bank as the trustee for the Jail Building Corporation.
5. **Continuing Legal Seminar:** Mr. Murrell will be out of the office on Wednesday, May 6th to attend a seminar pertaining to e-mail retention.

IN THE MATTER OF COMMISSIONER ISSUES:

1. **Commissioner Moore:** Mr. Moore informed the Board that the Courthouse Beautification Committee has met and Mr. Moore believes it is time for the Board of Commissioners to meet and discuss what the County is able to accomplish considering beautification efforts. Discussion will take place at the Special Meeting scheduled for 8:00 a.m. on May 11, 2009.

On May 21, 2009, at 6:00 p.m., the Chamber of Commerce will host a Town Hall Meeting in the Student Center (Kresge) at IUK and they are asking for representatives from all local government entities to attend. For a question and answer time. President Trine will attend that meeting.

Mr. Moore will forward an e-mail he received from Mikki Jeffers at the Recycling District. This concerns the prospect of a local elected official to serve on the State Recycling Board.

2. **Commissioner Thompson:** On May 21st there will be an Open Door Law Training Seminar at City Hall that Mr. Thompson and Mr. Trine will try to attend.

The Courthouse Beautification Committee has asked Mr. Thompson to obtain a copy of the policy or Ordinance that specifies use of the Courthouse lawn. Mr. Murrell will obtain a copy for Mr. Thompson. He then clarified that the Ordinance designates the lawn as a non-public forum dedicated to only government use. Mr. Thompson received a request from the organization that sponsors the T.E.A. parties, to hold a T.E.A. Party at the Courthouse on July 2nd. Mr. Murrell informed Mr. Thompson that permission is normally granted to use the walk and steps of the Courthouse which are public areas

3. **Commissioner Trine:** Mr. Trine reported that House Bill 1346 has passed and will save the County about a half a million dollars on voting equipment. The State had not certified our equipment and now we can save on new equipment.

The Circus is coming to Kokomo this Wednesday.

The Board has talked about holding an evening Commissioner Meeting in Russiaville and Greentown. Mr. Trine proposes that the July 6th meeting be held in Russiaville at 4:00 p.m. By Board consensus, the July 6th meeting will be at Russiaville.

Ms. Wells reported that the taxes have been calculated and ditches attached. Four hundred and sixty-six exemptions must still be checked. There will not be a May 10th tax deadline but they will be working toward a June 10th deadline date. The State has certified our tax rates but some of the deduction allocations moved in the system when the taxes were calculated, needing to be corrected.

The National Day of Prayer will be held on May 7th from Noon until 1:00 p.m. The Blue Star Prayer Vigil will be held on May 9th.

There being no further business to come before the Board of Commissioners at this time the meeting was adjourned at 6:25 p.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 4, 2009