

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING OCTOBER 19, 2009

The Howard County Board of Commissioners met in Regular Session on Monday, October 19, 2009, at 8:30 a.m. in the Administration Center, Room 338. 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 October 5, 2009 meeting, having been previously submitted and reviewed, were approved on a motion made by Mr. Moore and seconded by Mr. Thompson.

The minutes of the October 8, 2009 Administrative Session were submitted and approved by the Board of Commissioners on a motion made by Mr. Thompson and seconded by Mr. Moore.

The minutes of the October 9, 2009 Administrative Session of the Stormwater District Board of Directors and the Board of Commissioners were submitted and a motion was made by Mr. Thompson and seconded by Mr. Moore to approve the minutes. Because Mr. Moore was not at the meeting, he abstained from voting. President Trine vacated the chair in order to vote. The motion carried and the minutes were approved.

IN THE MATTER OF HIGHWAY DEPARTMENT ISSUES:

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

1. **Stimulus Project:** Paving begins today, for the Stimulus Project roads; grinding began last Friday. The State is using one crew at a time, using Mohr's (E & B Paving). The paving project began on the east side of Howard County with County Road 4 North, even though the grinding, last week, was at County Road 200 North, at 1350.
2. **PAC Recommendation:** Commissioner Thompson read the PAC Committee's recommendation concerning a request from the Highway Department, as follows:

The PAC Committee met on Thursday, October 15, 2009, and has the following recommendations to the Board of Commissioners for two changes in the Highway Department.

1. Change job/duty title from Secretary / Bookkeeper to Assistant Secretary / Bookkeeper.
2. Increase weekly salary by \$15.20 per week to stay in line with added duties and upgraded position change (yearly salary \$31,475 to \$32,269).

Recommendation is based on the fact that the Laborer / Engineer Aide's position is being permanently eliminated (elimination will save the county \$50,000.00 in wages and benefits). Both changes will affect only one employee.

Mr. Thompson made a motion to approve the recommendation as submitted and forward the recommendation to the County Council. At this time, Mr. Cain justified the requests, saying that the second Secretary / Bookkeeper was hired in at a lesser amount than the full salary of that position. Due to the recent passing of an employee, in lieu of replacing the employee, Mr. Cain will transfer one of the clerical duties of that employee's position to the Secretary / Bookkeeper, therefore justifying the request for an increased salary. As concerning the change of job title, the job description does not change and it is not a demotion. This position has always been an assistant secretary but not correctly listed as such on the paperwork. At the conclusion of discussion, the motion carried.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

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

1. **Jail Population:** The current inmate population is three hundred forty-four (344) with fifty-nine (59) being females. We are still very heavily populated in the female pod.
2. **Burglary In Progress:** Sunday the Dispatch Center received a call about a burglary in progress at the north end of Kokomo. The caller gave a description of the vehicle and its route of travel. There were three off-duty deputies and two off duty state troopers that responded to the call. The men were apprehended (two from Tipton and one from Anderson) and the stolen goods were found in the vehicle, because of the citizen's response. Of particular emphasis is on the off-duty officers that responded. Sheriff Talbert receives complaints from time to time from citizens that don't believe officers should be given use of police vehicles when off-duty. This situation helps prove how effective off-duty units are.
3. **Cum Cap Request:** Sheriff Talbert requested \$1,015.00 from the Cumulative Capital Fund to purchase two Ice Rescue Suits for the Dive Team. These suits were ordered in 2008 and the Sheriff's Department received the invoice at the end August of 2009. This year all capital expenses are paid from the Cumulative Capital Fund with the Board's permission. A motion was made by Mr. Thompson, seconded by Mr. Moore and carried to approve the payment of the rescue suits from Landfall Navigation, in the amount of \$1,015.00, from the Cumulative Capital Fund.
4. **Inmate Trust Account:** When an inmate is released from the Criminal Justice Center checks are given them for the remainder of any commissary money, written from the Inmate Trust Account. Many times the checks go uncashed, posing a problem in reconciling the account at the end of the year. The State has asked that this account be reconciled (not a criminal offense). The employees in the administrative offices are doing a good job of maintaining similar funds as well as the cash book. The Lieberman software has helped in making the process as smooth as possible. Sheriff Talbert would like to transfer this responsibility from the Corrections side to the Administrative side. To do that, he would have to take some responsibilities away to add this new one. Lieberman has the capability to do Sheriff Sales and, after seeing their presentation, he would like to use this company for that purpose. Sheriff Talbert asked that Terry Tribby review the website; the information is incredible. This service will not cost the county anything; the \$70.00 fee per property is charged to the buyer. A copy of the contract has been given to Mr. Murrell for his review. Sheriff Talbert would like to begin this process by January 1, 2010 and he informed Mr. Tribby that a large screen monitor will be needed for the Sheriff Sale attendees to track information. Commissioner Moore will also look into the Lieberman software. When the contract with Lieberman has been approved, Sheriff Talbert will transfer responsibility for the Inmate Trust Fund to the administrative secretaries. Concerning the Inmate Trust Fund, the State suggested the use of a petty cash fund, which has been done, and Sheriff Talbert is looking into the use of debit cards. Sheriff Talbert will come back for approval of the Board when the contract is ready.
5. **Thank You For The New Vehicles:** Sheriff Talbert thanked the Commissioners for their permission to purchase the two Dodge vehicles (*please refer to page two, item two, "In The Matter Of Sheriff Department Issues", of the Regular Meeting minutes dated October 5, 2009*). These vehicles have generated much local public interest. There are still several vehicles available at the QPA pricing and Sheriff Talbert would like permission to purchase one more. At the conclusion of ensuing discussion concerning local dealers and their ability to match the pricing, a motion was made by Mr. Thompson to direct Sheriff Talbert to make courtesy calls to local dealers, and if they are not able to give the County the same deal, continue to use the QPA pricing, and authorize the President to approve the purchase. The motion was seconded by Mr. Moore and carried.

Mr. Thompson asked for clarification concerning the authority of an off-duty officer. Sheriff Talbert informed him that an off-duty officer has the same authority as when he is on-duty. The difference would be that to initiate a traffic violation he would need to be in full uniform if not in a marked car. If he is in a marked car, he doesn't need the uniform.

Mr. Moore thanked and commended the Inmate Work Crew for the landscaping work they provided at the Courthouse for the Beautification Project. Sheriff Talbert reiterated the fact that he believes there would be enough work in the summer for an additional work crew.

IN THE MATTER OF ORDINANCE NO. 2009-BCCO-31:

Ordinance No. 2009-BCCO-31 is requesting additional appropriations for E911 Fund (145) as follows:

01521.00	FICA	\$11,400.00
01522.00	PERF	\$10,700.00
01523.00	Employee Insurance	<u>\$ 2,000.00</u>
TOTAL		\$24,100.00

This brings the total E911 budget for 2009 from \$593,834 to \$617,934. A motion was made by Mr. Thompson to approve Ordinance No. 2009-BCCO-31 as submitted. The motion was seconded by Mr. Moore and carried.

IN THE MATTER OF PLAN COMMISSION ISSUES:

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

1. **Proposed Zoning Ordinance:** At the October 5th meeting, the Board of Commissioners rejected the proposed Zoning Ordinance and sent it back to the Plan Commission to revisit section by section using the comparison prepared by Mr. Boise (*please refer to pages two and three of the Regular Meeting minutes dated October 5, 2009*). Because of the rejection by the Board Mr. Boise informed them that a letter stating the reasons for the rejection was needed by the State, and Mr. Murrell was to direct Attorney Brian Oaks to prepare the statement. It will be ready for the November 2nd meeting.
2. **Flood Mitigation Property:** The demolition project of the property located at 2700 Dellwood Drive has been completed. Funds have been received by the State for the excavation expenditures. Additional signage will be installed at the top of the hill by the Highway Department. Mr. Cain believes the additional signage will be sufficient.
3. **US 31 Corridors Plans:** The all-day Public Meeting for the Corridors Plan, last week, went well and there was a response from about forty people. Mr. Boise appreciates the Commissioners that were able to attend the hearing; he felt it was a good session. Most of the attendees were concerned with controlling the amount of growth along the corridors. Some believe they should start now. Mr. Boise thought it a good idea to remind all that this project is going to take up to six years to complete. There is time to address growth along the corridors. The Steering Committee will meet the 1st week of November, and the next public meeting will be held November 19, 2009.

Mr. Thompson commented that some citizens want zero growth along the corridors and some are totally open for new growth.

IN THE MATTER OF MAINTENANCE DEPARTMENT ISSUES:

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

1. **KeyBank Remodeling:** Mr. Reed reported on the remodeling project of the first floor of the Administration Center that is being leased by KeyBank. The walls that have been erected go all the way up to the decking and they were supposed to leave room for air flow. Mr. Reed spoke with the architect that was there and he authorized the laborers to cut the drywall down to allow for the needed space. Mr. Reed also spoke with H & H Plaster, who was there, about an issue with damaged plaster from a hole in the ceiling in Superior Court IV. H & H Plaster repaired the plaster and did an excellent job with the ornate pattern.

Commissioner Thompson informed Mr. Reed that there is some ornate plaster (with horse hair) stored in the attic at the Courthouse.

2. **Courthouse Beautification Project:** Mr. Cossell of Cossell's Landscaping has been very cooperative and easy to work with. Mr. Reed also appreciates the work done by the Inmate Work Crew.
3. **Employee Parking Around The Courthouse:** Mr. Thompson informed the Board that the County is losing parking spaces around the Courthouse. Those who work at the Courthouse will need to park in other County owned lots. The parking lot on the corner of Mulberry and Buckeye streets has spaces that could be given back to the County from KeyBank. There are several parking concerns including the distance from the lot to the building as it pertains to the safety of the employee, or in the event of an emergency. Another concern is the availability of several spaces on the west side of the Courthouse for maintenance and for trucks.

IN THE MATTER OF PERSONNEL DEPARTMENT ISSUES:

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

1. **AFLAC Memo And Distribution:** Ms. McKillip submitted copies of a memo she would like to distribute to the employees. This memo concerns meetings with AFLAC representatives for county employees who are interested in supplementing their insurance plans and for those who have already enrolled and would like to update their plan. AFLAC will be printing the memos and the Personnel office will distribute them. A motion was made by Mr. Moore to approve the AFLAC meeting memo and its distribution to employees. The motion was seconded by Mr. Thompson and carried.
2. **NOVIA Clinic:** Mr. Trine informed the Board and Ms. McKillip that members of the Insurance Committee will be traveling to Fishers, Indiana on Tuesday, October 26, 2009, to see a NOVIA Medical Clinic in operation. Ms. McKillip will inform the Board about what time they will leave town.

IN THE MATTER OF INFORMATION SYSTEMS DEPARTMENT ISSUES:

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

1. **Meeting With A T & T Concerning The Centrex Billing:** Mr. Tribby, Auditor Ann Wells, Deputy Auditor Konny Zurcher, and Treasurer Martha Lake met with representatives of A T & T concerning the following Centrex billing issues:
 - 1) Charging the incorrect rate on our Centrex Lines (expecting a credit)
 - 2) Look at non-contractual costs that could represent 40 to 60 per cent of the bill
 3. Data circuits that should have been deleted at contract time – Terry asked for credits on those lines, at least back to the September signing date. Lines are non-functioning and have been cut and coiled
 4. A T & T asked for a grouping of several employees authorized to make changes as well as an administrative contact. Terry asked for a user friendly enhanced monthly report, one that is easier to read than the present enhanced billing. Because of the complexity of Centrex, Mr. Tribby also wants to look at alternative solutions. We still have until May, 2010 on this present Centrex contract.
2. **H1N1 Concerns:** One of the IT technicians and his family has been diagnosed with the H1N1 Flu virus. Mr. Tribby is concerned for Howard County's smaller departments if H1N1 becomes a pandemic; we are just now starting to see some of the results of a threat. The IGTLA is concerned with all the counties in Indiana and wants to create a support group in the instance that an entire IT Department is down with the H1N1. That can be done because all the applications are similar.
3. **Thanks To The Sheriff's Department and the Inmate Work Crew:** The Inmate Work Crew cleaned the Administration Center fourth floor offices and removed obsolete and unused equipment.

IN THE MATTER OF COMMUNITY CORRECTIONS ANNUAL REPORT:

At the October 5th meeting the Board of Commissioners tabled approval of the Community Corrections Annual report until the October 8th Special Session (*please refer to page four, “In The Matter Of The Community Corrections Annual Report” of the Regular Meeting minutes dated October 5, 2009*). Because the special called session was an Administrative Meeting, approval business could not be accomplished and the table was continued until the October 19th Regular meeting. A motion was made by Mr. Thompson, seconded by Mr. Moore and carried to approve the Community Corrections Annual Report for the year of July 1, 2008 through June 30, 2009.

IN THE MATTER OF A KINSEY YOUTH CENTER GRANT:

Kinsey Director Brent Kelley informed the Board that Kinsey Youth Center has received a grant in the amount of \$30,000.0 from the Indiana Criminal Justice Institute. He now submits the paperwork for approval and signatures. This grant enables Kinsey to deliver Functional Family Therapy, allowing them to charge a fee for the service. There’s a possibility of generating \$750,000.00. This non-renewable grant is for personnel and training expenses and is written as a standard contract. Mr. Kelley expects the project to generate enough income to keep the project going after the grant is finished. A motion was made by Mr. Thompson to approve the grant and authorize President Trine to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Moore and carried.

IN THE MATTER OF KOKOMO DOWNTOWN ASSOCIATION ISSUES:

Mr. John Wiles of the Kokomo Downtown Association thanked the Sheriff for allowing the Inmate Work Crew to help with landscaping activity for the Courthouse Beautification Project. They worked very hard and there were no problems; they were a great help. Mr. Wiles now brings a request to use the Courthouse roof for the pyrotechnics show on New Year’s Eve, and submitted a Certificate of Liability for the event. They will use the same location as last year, and he also asks that all fees associated with opening and closing the Courthouse be waived. Mr. Reed confirmed that the Maintenance Department will have an employee available for that event. A motion was made by Mr. Thompson, seconded by Mr. Moore and carried to authorize the Kokomo Downtown Association to use the Courthouse roof for the fireworks display as part of the New Year’s Eve festivities. This activity is supported by the community and is open to all. This is also good experience for the Kokomo High School’s TechnoKats who organize the ball drop. Kokomo is the only city in the nation, besides New York City, that has a ball drop to celebrate New Year’s Eve.

Mr. Wiles thanked Building and Grounds Superintendent Scott Reed for his cooperation throughout the year. Mr. Reed is very easy to work with and Mr. Wiles appreciates his help with the Beautification Project.

Mr. Wiles will be submitting a future request concerning a tree lighting event on December 5, 2009. This is the weekend of We Care and several businesses had approached the KDA concerning a special event. Because the Courthouse is the center of the downtown area, locating the event there was a consideration. However, plans have not been finalized. KDA power stations will be used. Security, maintenance and legal issues will have to be considered. It was the consensus of the Board to be willing to review any proposal.

IN THE MATTER OF USE OF PARKING LOT REQUEST BY CAM:

Rev. Ruth Lawson, Executive Director of CAM (Coordinated Assistance Ministries, Inc.) requests the use of the County’s parking lot next to CAM, located at the corner of Market and Mulberry Streets. The date would be November 20, 2009 for the “Grate American Sleep out” event. They are expecting about thirty (30) participants. The event plan is as follows:

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| 10:00 p.m. | Begin at the YMCA. Everyone will be given a homeless identity with need, and agencies will be set up for participants to meet and seek solutions to their problems. |
| 11:00 p.m. | Walk from YMCA to Center Township Trustees – learn about Trustee services |
| Midnight | Begin building box houses to sleep in for the night on the parking lot |
| 6:00 am. | Wake up and tear down houses – walk to Kokomo Rescue Mission for breakfast |
| 7:00 a.m. | Breakfast at Rescue Mission |

7:30 a.m. Sharing of experience in Rescue Mission Chapel

8:00 a.m. Go home with greater appreciation of heat, bed, and vehicles for transportation

A motion was made by Mr. Thompson, seconded by Mr. Moore and carried to approve the request to use the parking lot located on the corner of Market and Mulberry Streets for November 20 and 21, 2009, subject to the submission of liability insurance.

Rev. Lawson also issued an invitation to the Board of Commissioners to attend the ribbon-cutting ceremony for the new Family Hope Center located at 320 East Walnut Street, on Wednesday, November 4, 2009, at 10:00 a.m.

IN THE MATTER OF CLAIMS AND REPORTS:

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

1. **Salary Claims:** The Commissioners' salary, hourly and overtime claims, payable October 23 and 30, 2009, in the amount of \$335,386.35 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 \$338,241.75 were approved on a motion made by Mr. Moore and seconded by Mr. Thompson.
3. **Treasurer's Monthly Report:** The Treasurer's Monthly Report for the month ending September 30, 2009 was submitted and accepted on a motion made by Mr. Thompson and seconded by Mr. Moore.
4. **Monthly Clerk's Report:** The monthly Clerk's Report for the month ending September 30, 2009 was submitted and accepted on a motion made by Mr. Thompson and seconded by Mr. Moore.
5. **State Mileage Rate Lowered:** Ms. Wells received a memo from the State Auditor's Office informing the County that the State mileage rate has been lowered from \$.44 to \$.40 beginning October 1, 2009. This will affect the mileage rate for jurors. The County's mileage rate is \$.40 per mile and Ms. Wells needs clarification from the Board of Commissioners as to whether they want to leave the county rate as it is or to lower the rate in response to the State's decrease in mileage. A motion was made by Mr. Thompson to leave the County's mileage rate at \$.40 per mile. The motion was seconded by Mr. Moore and carried.

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

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

1. **Memorandum Of Understanding:** A month ago the Board of Commissioners entered into an agreement with the Greater Kokomo Economic Development Alliance concerning monetary assistance to a prospective new business to downtown Kokomo (*please refer to page five, "In The Matter Of A Letter Of Intent For A Prospective New Business In Downtown Kokomo", of the Regular Meeting minutes dated August 17, 2009*). At the September 17th Special Council Meeting Commissioner Thompson outlined the use of the \$50,000.00 and at the September 21st Commissioner meeting the Board discussed the need to amend the Capital Improvement Plan for the \$50,000.00 request (*please refer to pages five and six, item two, "In The Matter Of County Attorney Issues", of the Regular Meeting minutes dated September 21, 2009*). This draft of the Memorandum of Understanding can be approved as is and Mr. Murrell will submit it to Mr. Conrad for his approval. There may be some non-material changes that will need to be made after Mr. Conrad reviews the MOU. A motion was made by Mr. Moore to approve the drafted Memorandum of Understanding as submitted and authorize Mr. Murrell to make any needed non-material changes. The motion was seconded by Mr. Thompson and carried.
2. **Time Away From Office:** Mr. Murrell informed the Board that he would be out of the office on Friday, October 23rd and Monday October 26th. He will be back in the office on Tuesday the 27th.

IN THE MATTER OF COMMISSIONER ISSUES:

Commissioner Moore: Mr. Moore extended an invitation to the Board of Commissioners to attend a United Way meeting with Cindy Dunlap to discuss our county's current situation. The meeting will be at 1:00 p.m. at the United Way building.

Mr. Moore will be out of town for a week, beginning tomorrow.

Mr. Moore submitted the Township Assistance Hearing for Jennifer Tressler of Center Township. Mr. Moore made a motion to uphold the denial of the township trustee. The motion was seconded by Mr. Thompson and carried. Mr. Moore informed the Board that even though the Trustee had to follow eligibility guidelines, he spent extra time after the hearing to work with Ms. Tressler concerning other avenues of assistance.

Mr. Moore was at the Courthouse last Tuesday to assist with landscaping activities for the Courthouse Beautification Project. The Board is still working on the parking situation and they would like to retain several spots on either side of the drive-up on the west side of the Courthouse.

Commissioner Thompson: Mr. Thompson reminded the Board that this is Breast Cancer Awareness Month.

Mr. Thompson has received positive comments concerning the yard waste facility on Dixon Road. He thanks the Howard County Recycling District office for the "outstanding job" they are doing at this facility. The facility will be closed for the winter, but will open up, temporarily for ice storm clean up.

Sheriff Talbert took the new Chrysler Charger vehicle to the UAW 685 meeting and positive comments were received.

In reference to the 2010 Employee Holiday Schedule, a motion was made by Mr. Thompson as follows:

"I make a motion that the Howard County Board of Commissioners approves twelve days for calendar year 2010 as our Holiday Schedule, the same number of days as the State of Indiana. And since the County is tasked to prosecute the Primary and General Elections, adversely affecting the standard daily operation of County government on election days, whereas Federal, State, and City governments are not, the schedule shall also add both election days."

The motion was seconded by Mr. Moore and carried.

Commissioner Trine: There will be a "Canmissioners" Clash of the Cans (food drive) organizational meeting at 5:00 p.m. tonight at the Kokomo Mall.

Four hundred and ninety-four properties (494) were listed on the Tax Sale, last week, and one hundred one (101) properties were sold.

Concerning the US 31 Corridor's Plan public meeting, there were some very passionate opinions expressed, on both sides of the issue.

There will be a banquet, tomorrow evening, to celebrate the history of Continental Steel. It will be catered by Rozzi's Market.

Mr. Trine will accompany MS4 Operator Greg Lake to Northwestern High School on October 27th to make an MS4 presentation to Mrs. Zeck's Biology class.

The Board needs to set an Executive Session to discuss strategy pertaining to the possible purchase or lease of real estate. By consensus, the Board agreed to call an executive session for Friday, October 30th at 2:30 p.m.

The next Regular Meeting will be held on November 2, 2009 at the Greentown Town Hall, at 4:00 p.m.

There being no further business to come before the Board of Commissioners at this time, a motion was made by Mr. Thompson, seconded by Mr. Moore and carried to adjourn. The meeting was adjourned at 10:45 a.m.

HOWARD COUNTY BOARD OF COMMISSIONERS:

DAVID A. TRINE, PRESIDENT

WILLIAM THOMPSON, VICE PRESIDENT

TYLER O. MOORE, MEMBER

ATTEST:

ANN WELLS, AUDITOR

Howard County Commissioner Regular Meeting October 19, 2009