

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING FEBRUARY 1, 2010

The Howard County Board of Commissioners met in Regular Session on Monday, February 1, 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 Talbert and conducted by President Trine. The Pledge of Allegiance was led by Commissioner Moore.

IN THE MATTER OF APPROVAL OF MINUTES:

The minutes of the January 19, 2010 having been previously submitted and reviewed, were approved on a motion made by Mr. Moore and seconded by Mr. Thompson.

The minutes of the January 26, 2010 Administrative Meeting were submitted and reviewed. A motion was made by Mr. Moore to approve the minutes of the January 26, 2010 Administrative Meeting. The motion was seconded by Mr. Thompson and carried.

The minutes of the Special Session / Public Hearing held on January 25, 2010 were submitted, reviewed and approved on a motion made by Mr. Moore and seconded by Mr. Thompson.

IN THE MATTER OF HIGHWAY DEPARTMENT 2009 ANNUAL OPERATING REPORT:

Highway Engineer / Superintendent Ted Cain submitted the 2009 Annual Operating Report for the Commissioners' approval. This report matches the figures reported by the Auditor's Office. A motion was made by Mr. Moore, seconded by Mr. Thompson and carried to approve the 2009 Annual Operating Report for the County Highway.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

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

1. **Jail Population:** The current inmate population is three hundred nine (309) with forty-eight (48) being female. This puts us below the capacity rate of three hundred twenty-four (324).
2. **Carpet Replacement:** At the January 19th meeting, Sheriff Talbert informed the Board that he was obtaining quotes for carpet replacement (*please refer to page two, item two, "In The Matter Of Sheriff Department Issues" of the Regular Meeting minutes dated January 19, 2010*). He now submits a quote from Stout & Son in the amount of \$10,891.17. This includes new flooring in the Medical and Jail side offices, as well as the lobby and commons area. The Sheriff's Inmate Work Crew will assist in the installation, saving the County in labor costs. Sheriff Talbert is doing the replacement now, before the Work Crew is busy with outdoor work. A motion was made by Mr. Thompson to approve the purchase and installation of new carpeting from Stout and Son in the amount of \$10,891.17. The motion was seconded by Mr. Moore and carried.
3. **Purchase Small Storage Building:** At the last Jail Inspection, the State Inspector pointed out the lack of storage and crowded conditions in the maintenance area. To address that issue, Sheriff Talbert will purchase, today, a small outdoor storage shed to be paid out of the Sheriff's Commissary Fund.
4. **Lieberman Technology Contract:** The Cost Analysis Report on Sheriff's Sales is finished and was submitted to Mr. Murrell in order to determine a fee schedule for the Sheriff's Sales (*please refer to page two, item six, "In The Matter Of Sheriff Department Issues" of the Regular Meeting dated January 19, 2010*). Sheriff Talbert and Mr. Murrell informed the Board that the State has approved an amount not to exceed \$200.00 as a fee for each Sheriff Sale. Some counties use the \$200.00 amount without doing a cost analysis. Sheriff Talbert does not want to place an unfair burden on the parties involved, so he directed his personnel to prepare the cost analysis to determine a truer figure to set as the fee. Mr. Murrell has completed review of the Contract and recommends approval. He has also prepared a Joint Resolution between the Board of Commissioners and the County Council for approval of the fee

schedule. The fee will be \$115.00 per sale, and Sheriff Talbert is very confident in the work that Lieberman does. Upon review of the contract, Commissioner Moore believes there should be default language added. At the close of ensuing discussion, a motion was made by Mr. Moore, seconded by Mr. Thompson and carried to table the contract until the February 15th meeting, allowing time for Attorney Murrell to add default language to the contract with Lieberman Technology.

IN THE MATTER OF PLAN COMMISSION ISSUES:

Mr. Boise did not have any issues to present to the Board, at this time, however, copies of the Zoning Ordinance No. 2009-BCCO-21 that was approved at the January 26, 2010 Special Session were submitted for the Board's signatures.

IN THE MATTER OF MAINTENANCE DEPARTMENT ISSUES:

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

1. **Elwood Contract:** The contract with Elwood Fire Equipment Company for sprinkler and fire alarm service is ready for approval. This contract includes the Courthouse, Administration Center, Government Center, Jail, Kinsey Youth Center and Howard Haven. The portion of the contract that applies to Kinsey Youth Center will be billed directly to them for their records and reports. The contract amount is \$7,044.30. A motion was made by Mr. Thompson to approve the contract with Elwood Fire Equipment Company, in the amount of \$7,044.30, and authorize the President to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Moore and carried.
2. **Simplex Grinnell:** Simplex Grinnell Contract for fire detection and sound communications testing, and inspection services for the Criminal Justice Center, in the amount of \$3,738.00 for one year, was submitted. A motion was made by Mr. Moore, seconded by Mr. Thompson and carried to approve to contract with Simplex Grinnell and to authorize the President to sign on behalf of the Board of Commissioners.

IN THE MATTER OF THE PERSONNEL DEPARTMENT ISSUES:

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

1. **Boston Mutual Life Enrollment Employee Memo:** Ms. McKillip submitted an employee memo with information concerning the annual enrollment opportunity. Presentations will be held the week of February 8 – 12, 2010, at various locations. Meetings will be scheduled at Kinsey Youth Center and the Highway Department, individually. Ms. McKillip seeks approval of the memo and its distribution through this week's payroll. A motion was made by Mr. Thompson, seconded by Mr. Moore and carried to approve the memo for distribution through this week's payroll.
2. **Worker's Compensation Report:** Copies of the Worker's Compensation report are now posted on bulletin boards in several County buildings. These are to be posted from February 1st through April 30th, 2010. Selective Insurance Company is doing a Workers' Comp audit this Thursday.

IN THE MATTER OF ELECTED OFFICIAL PRESENTATIONS:

At this time President Trine recognized County Assessor Jamie Shepherd and Center Township Assessor Sheila Pullen for their hard work and determination in attaining their Level III Assessor Certification. Both Assessors' expertise and involvement have been crucial, specifically in matters pertaining to Chrysler issues in the last year, and especially the last few months. There are eighty-five Level III certifications in the State of Indiana, including the Department of Local Government Finance, and two of them are in Howard County. Ms. Shepherd and Ms. Pullen were invited to the front to receive their framed certificates and have their pictures taken with the Commissioners. Ms. Shepherd took the floor to briefly review the Level III certification process.

IN THE MATTER OF INFORMATION SYSTEMS DEPARTMENT ISSUES:

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

1. **City / County Technology Information:** Mr. Tribby informed the Board that he keeps in contact with Mr. Mike Huffman, director of the Technology Department for the City of Kokomo. Major changes have been made to our wireless network which will help us be more stable and reliable. Mr. Tribby will work with Mr. Huffman to apply those changes to the city. Mr. Tribby and Mr. Huffman have committed themselves to make data from the City available to the County and data from County will be available to the City. Just a few weeks ago Mr. Tribby granted access to several city employees for the Recorder's records. Mr. Tribby asks the Board to contact him if they have any knowledge of County information that the City needs.
2. **John Deere Representative:** Mr. Tribby spoke with a representative from John Deere who had previously inquired about renting space on the County's emergency tower, and gave him the Commissioners' contact information (*please refer to page four, item five, "In The Matter Of Information Systems Department Issues" of the Regular Meeting dated December 7, 2009*). This issue will be discussed after the vendor contacts the Commissioners.
3. **New Technology:** Sheriff Talbert introduced Mr. Tribby to a new technology. The monitor that was recently installed in the lobby of the Criminal Justice Center uses a wireless device that enables the computer to talk directly to the monitor. Both Sheriff Talbert and Mr. Tribby believe it would be beneficial to install a monitor with a wireless device in this Commissioners' Hearing Room, as well. This room is used for many different types of activities than just Commissioner and Council meetings. This type of technology would increase the services offered by this room. It was the consensus of the Board to authorize Mr. Tribby to review this type of technology and prepare a package to submit at a future meeting.

IN THE MATTER OF THE PICTOMETRY CONTRACT:

County Assessor Jamie Shepherd submitted a contract with Pictometry for four-sided aerial photography to aid in assessments. The last photographs the County took were in 2003 and the State photographed the County in 2005. Ms. Shepherd declared that Howard County was in desperate need of a new set. With this new technology available through Pictometry, we will be able to distinguish between a swimming pool, a silo or a trampoline. The main cost is in the type of resolution: a tighter resolution is required for more dense areas. Ms. Shepherd has teamed with the City of Kokomo, working with Mr. Stranahan and Mr. Johnson (Ms. Shepherd worked with Jesse Johnson during the 1998 and 2003 aerial photography projects). This contract spans work done over a six-year period, in the amount of \$110,518.01, to be invoiced on an annual basis, and if the County is experiencing economic difficulty, we can opt out of the second flight. The State allows this pictorial technology to be used in place of physically visiting each parcel. Ms. Shepherd has already budgeted for the first year's installment and she hopes to have the first flight soon, before there is full foliage on the trees. The City of Kokomo and Howard County are on separate contracts. Mr. Murrell has reviewed the contract and adds his recommendation. At the conclusion of explanation, the contract with Pictometry was approved as submitted, and the President authorized to sign on behalf of the Board of Commissioners, on a motion made by Mr. Thompson and seconded by Mr. Moore.

IN THE MATTER OF CONTRACTS FOR THE CLERK'S DEPARTMENT:

In the absence of Clerk Mona Myers, Mr. Murrell and Ms. Wells submitted the following contracts for the Board's approval:

1. **Jeremy Peelle Collection Services:** This contract is for collection services in the area of fines and fees associated with court costs, infractions and civil penalties, in the amount of 33 1/3 % of the fine collected, to be paid by the Defendant as an add-on. A motion was made by Mr. Moore, seconded by Mr. Thompson and carried to approve the Collection Services contract with Jeremy Peelle, and authorize the President to sign on behalf of the Board of Commissioners.

2. **CSI Computer Systems:** This contract between the Clerk's Office and CSI is for the JTS statewide case management system that connects courts with each other as well as State agencies that need court information. Ms. Myers inserted an Estimated Completion Date for CSI. Mr. Murrell recommends approval of this contract. A motion was made by Mr. Moore to approve the CSI JTS Imaging contract. The motion was seconded by Mr. Thompson and carried.
3. **Polling Site Listing:** Ms. Wells submitted the 2010 Election Polling Site List for the Board's approval. The Board accepted the 2010 Polling Site Listing on a motion made by Mr. Moore and seconded by Mr. Thompson.

IN THE MATTER OF THE CONTRACT WITH PROFORMA:

Treasurer Martha Lake submitted a contract with Proforma for the printing of tax statements for 2010. Up until 2008 the tax statements had been printed and mailed in house. In the year 2008 the State added form TS-1 to be printed and mailed out with the tax statement. It was better for the County to contract this service outside the office. Last year Boyce Forms printed the tax statements. This year Ms. Lake would like to contract with Proforma. Proforma will provide the tax bills, comparison form, homestead forms blue or pink, envelopes, and printing included for one price. The basic package price is \$.25 per basic package, \$.28 per static homestead form package and \$.30 per variable homestead form package. This business is located in Granger, Indiana. The total price is \$14,600, about \$5,000 less than what was paid to Boyce, last year. The extra printed paperwork is mandated by the State and the County has to pay for it. Mr. Murrell has added an addendum to the contract and recommends approval. A motion was made by Mr. Thompson, seconded by Mr. Moore and carried to approve the contract with Proforma, in the amount of \$14,600, and authorize the President to sign on behalf of the Board of Commissioners.

The Treasurer's office will not know the amount of postage until all the statements have been prepared and ready to post. She will need to have a check for the amount ready to send immediately after the amount has been determined. The postage claim was declared an emergency claim that can be paid immediately upon receipt, on a motion made by Mr. Thompson and seconded by Mr. Moore. Mr. Trine will sign the emergency postage claim.

IN THE MATTER OF WILDCAT GUARDIANS:

Mr. Hod Peabody of the Wildcat Guardians, was in attendance to inform the Board of Commissioners of the duties and activities of the Wildcat Guardians, and to invite the Board members and their families to "Discover Wildcat Creek" by taking a free canoe trip on the Wildcat Creek. He submitted paperwork and a sign-up sheet for the canoe rides that will begin in June, 2010. The goal is to get everyone in Howard County on the Creek.

IN THE MATTER OF A PRESENTATION BY PERFECTION GROUP:

Mr. Mark Falahee and Mr. Ryan Dillard made a presentation for the Perfection Group Energy Services. "Perfection Group designs, builds, maintains, and improves the energy and environmental systems within your physical plant and facilities." They focus their services on energy efficiency and reducing operating costs, among other things. For Howard County, they would do a preliminary analysis of the County facilities, at no charge to the County. He reviewed the analysis process with the Board. Perfection would audit the analysis and identify measures to be taken. There could be Stimulus Package grant opportunities to help fund results of the analysis.

IN THE MATTER OF SPACE ALLOCATION ISSUES FOR EMERGENCY MANAGEMENT AGENCY:

Emergency Management Director Larry Smith submitted a request that a wall be installed in their large basement room in the Government Center that currently hold storage items from other County offices. He also submitted a request for an 8' X 12' storage closet for EMA's own use. The large room they currently use for meetings and as an operation center for elected officials and department heads, in the event of an emergency, has the storage area in it. This area is sectioned off by wire fencing, and that is where a solid wall would be beneficial. He continued to inform the Board that the Kokomo EMA is the backup agency for the State and they have some of their computers in the operation center. In meeting with our IT Department and Lieutenant Asher of the Sheriff's Department, Mr. Smith has determined that he will need to install extra telephone lines, as well as equipment and generators in order to be a back-up to the Dispatch Center. There is a WEB EOC Grant available, in the amount of \$30,000 to upgrade the Emergency Operation center. Mr. Smith would like to purchase equipment for tele-conferencing and video conferencing for the Center. The WEB EOC program is an information sharing program between the State and all the Counties that participate in the program. The Board of Commissioners asked several

questions of Mr. Smith, and at its conclusion, it was the consensus of the Board to have Mr. Reed, Mr. Thompson and Mr. Moore review the situation with the fenced in storage area and the space for a storage closet.

IN THE MATTER OF A SMALL BUSINESS FUND REQUEST:

Ms. Kim Burnett Morgan, 2720 Tumbleweed Drive, Kokomo, was in attendance to submit a request for \$5,000 from the EDIT Fund to secure funding to assist the opening of a new business in Kokomo. The new business would be located at 415 West Sycamore, close to the Riverfront District. Ms. Morgan distributed copies of the business plan, her resume and time line to the Commissioners, and informed the Board that she has applied to the City of Kokomo for funds, as well. She reviewed application and business information with the Commissioners and declared that this business would create fourteen jobs for Howard County. Three positions would be full-time and eleven positions would be part-time. The restaurant would specialize in Creole and Cajon cuisine. Mr. Trine informed Ms. Morgan that the Board is in the process of organizing a committee to determine the application process and a fund distribution vehicle. Mr. Trine will review this information with Attorney Murrell.

IN THE MATTER OF CLAIMS & REPORTS:

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

1. **Operating Claims:** Commissioners' Operating Claims payable today, in the amount of \$1,543,332.56 were submitted and approved on a motion made by Mr. Moore and seconded by Mr. Thompson.
2. **Salary Claims:** The Salary, Hourly and Overtime claims payable February 5 & 12, 2010, in the amount of \$338,210.16 each were approved on a motion made by Mr. Moore and seconded by Mr. Thompson.
3. **Resolution NO. 2010-BCCR-02:** This Resolution is the Capital Improvement Plan for the Calendar Year 2010/2011 and was submitted by Auditor Wells. Resolution No. 2010-BCCR-02 was 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 for the Board's information and approval:

1. **Verizon Contract:** The contract for the E911 Dispatch office needs to be approved soon, but there is still an issue with the 3% late fees that are automatically added after thirty days. The last word from Verizon is that they cannot remove that language from the contract, but they do not foresee any problems. Mr. Murrell recommends that the Commissioners approve the contract, but he does not have the latest confirmation from Verizon. He will submit the contract as soon as confirmation is received.
2. **Updated Contract Log:** Mr. Murrell submitted copies of the updated Pending Contracts log, and reminded the Board that six contracts were approved in this meeting.
3. **Comcast Franchise Fees:** At the November 16th meeting, the Board of Commissioners approved for Mr. Murrell to file a complaint with the Utility Regulatory Commission against Comcast for not paying franchise fees to Howard County (*please refer to page seven, item five, "In The Matter Of County Attorney Issues" of the Regular Meeting minutes dated November 16, 2009*). In working with Comcast and reviewing the 1986 Statute that applies to franchise fees, Mr. Murrell has concluded that Comcast does not owe Howard County any franchise fees, unless the Commissioners would enact an Ordinance to impose a fee of up to 5%. Consequently, he recommends that the complaint be dismissed. A motion was made by Mr. Moore, seconded by Mr. Thompson and carried, to advise Mr. Murrell to dismiss the complaint against Comcast, and to share copies of the finding with the media.
4. **Draft Of RFP For Interior Design:** Mr. Murrell has prepared a draft of the Request For Proposal for Interior Design Services. He would like to put it in its final form and make it available to local designers. The proposal will be due March 1, 2010, and Mr. Murrell needs to list a contact person. By consensus it was decided the Mr. Thompson will be the contact person.

IN THE MATTER OF TOWNSHIP ASSISTANCE APPEAL HEARINGS:

Commissioner Moore was the Hearing Officer for two Township Appeal Hearings as follows:

1. **Victoria L. Hicks:** This hearing is for Victoria L. Hicks, Center Township. Because Ms. Hicks did not come to the Hearing, Mr. Moore made a recommendation to uphold the denial of the Township Trustee. The denial of the Township Trustee was upheld on a motion made by Mr. Thompson and seconded by Mr. Moore.
2. **Sean Edward Spencer:** Mr. Spencer is from Center Township and Mr. Moore made a recommendation to uphold the denial of the township trustee who will consider minimizing the time interval of when he can reapply for relief. A motion was made by Mr. Thompson, seconded by Mr. Moore and carried to uphold the denial of the township trustee.

IN THE MATTER OF COMMISSIONER ISSUES:

1. **Commissioner Moore:** Mr. Moore thanked the Board for appointing him to the 4-H Exhibit Association Board of Directors (*please refer to page two, Commissioner Moore items, "In The Matter of Other Concerns" of the Special Session dated January 26, 2010*).

In the matter of the EDIT Fund requests from Angie Myers Designs and Kim Burnett Morgan, Mr. Moore would like the Board to continue consideration, giving an answer soon. Mr. Murrell suggested that there are two major concerns. The first concern would be determining criteria for awarding the requests and the second concern would be the mechanism in which to distribute the funds. He reminded the Board of how the Zuna request was handled, then commented that he was not sure that was the best procedure. Mr. Trine informed the Board that he had spoken with Councilmen Miller, Ortman and Papacek concerning this issue. They have agreed to meet with a lender to consider criteria for the application process, and even considered low or no interest loans at the end of an anniversary date for employees, to make it a sustainable program.

2. **Commissioner Thompson:** Next week is the 100th Anniversary of the Boy Scouts of America and Mr. Thompson would like to put something together for Mr. Murrell to put into a resolution, to be presented next week.
3. **Commissioner Trine:** Mr. Trine recognized the presence of his wife, Melissa Trine, in tonight's meeting. This is the first Commissioner meeting she has attended.

Mr. Trine would like to offer the Presidents of the Town Board of Russiaville and Greentown a "booster shot" of EDIT funds for specific projects, on a "matching funds" basis.

There were four participants in the Clash of the Cans fundraiser: Bon Air Park Elementary, Lafayette Elementary School, Kokomo Area Career Center and Cornerstone Church. Over 9,000 cans were collected and disbursed to Howard Haven, Urban Outreach, Salvation Army and the Kokomo Rescue Mission. Mr. Trine would like to thank WWKI, Z93, Kokomo Perspective, Kokomo Tribune, Kokomo Mall, Sir Speedy and Mid State Trophy for their help with the event.

For the last two years, the County's Office Holders and Department Heads have been on a Mission Critical spending policy. Mr. Trine commented that sometimes, for upkeep and maintenance concerns, you have to spend some money now or you may have to spend more money later. He believes the Board of Commissioners should wait until a tax rate has been determined, before issuing another Mission Critical spending freeze.

Alcoholic Beverage Commission: An appointment needs to be made to the Alcoholic Beverage Commission. Mr. Trine commented that when the Board chooses to change an appointment, it is only because they feel that a change would be a positive step. In light of that observation, a motion was made by Mr. Thompson, seconded by Mr. Moore and carried to appoint Mr. Bob Snow to the Alcoholic Beverage Commission Board.

There has been some question and comment pertaining to the recently approved purchase of the Prosecutor's vehicle. Mr. Trine requested Mr. Murrell to review the applicable statutes and determine if it is proper for the Prosecutor to purchase a vehicle out of his Discretionary Funds. They are still public funds and have to be dispersed according to statute.

There being no further business to come before the Board of Commissioners at this time, a motion was made by Mr. Moore to adjourn the meeting. The motion was seconded by Mr. Thompson and carried. The meeting was adjourned at 6:55 p.m.

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 Regular Meeting February 1, 2010