

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING NOVEMBER 15, 2010

The Howard County Board of Commissioners met in Regular Session on Monday, November 15, 2010 at 8:30 a.m. in Meeting Room 338 of the Administration Center. Those in attendance included President Dave Trine and Vice President Bill Thompson. 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, who also led in the Pledge of Allegiance.

In the absence of Commissioner Moore, President Trine vacated the chair, whenever necessary, in order to carry out the business of the Board of Commissioners. Condolences were extended to Commissioner Moore and his family on the passing of his Grandmother.

IN THE MATTER OF APPROVAL OF MINUTES:

The minutes of the November 1, 2010 meeting, having been previously submitted and reviewed, were approved on a motion made by Mr. Thompson and seconded by Mr. Trine.

The minutes of the November 4, 2010 Executive Session were submitted and reviewed. A motion was made by Mr. Thompson to approve the minutes of the Executive Session dated November 4, 2010. The motion was seconded by Mr. Trine and carried.

The minutes of the November 8, 2010 Administrative Session were submitted, reviewed, and approved on a motion made by Mr. Thompson and seconded by Mr. Trine.

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. **Open 2011 Highway Bids:** The 2011 Annual Highway Operating Bids are to be received no later than 8:00 a.m. today. The bids were opened as follows:

Item 1	Precast and pre-stressed Beams:	Primco Inc (Fort Wayne)
Item 2	Various Grades of Asphalt, Emulsion and Tar:	Asphalt Materials Inc. (Indianapolis) Mohr Construction Co. Inc
Item 3	Bituminous Coated Aggregate, Asphalt, Concrete Binder and Top	Mohr Construction Co. Inc (Separate Bid)
Item 4	Stone	Hanson Aggregates Midwest (Peru) Martin Marietta Materials Irving Materials Inc
Item 5	Equipment Rental	Primco Inc.
Item 6	Diesel Fuel	North Central Co-Op
Item 7	Traffic Signs & Materials	Stello Products, Inc (Spencer) Hall Signs, Inc. (Bloomington)
	Guard Rail	James Drew Corporation (Indianapolis)

A motion was made by Mr. Thompson, seconded by Mr. Trine and carried to receive the eleven bids and take them under advisement for review by Mr. Cain.

2. **Begin Bridge Construction:** Although it's late in the season, Mr. Cain will begin some bridge construction. The contractor has gotten enough bypass work completed, that the Highway Department can begin pouring the deck this week on the bridge located on County Road 900 East, 300 – 400 North. Depending on the weather, they may begin work on a bridge in the western portion of Howard County.
3. **Federal Projects:** Mr. Cain has been in contact with the consulting firm concerning applying for Federal funds for the design stage of the right-of-ways for Morgan Street East and Touby Pike, to be tied into the bypass. The Morgan Street project will also need an Interlocal Agreement with the City of Kokomo for their 72% portion of section one. Because of limited funds, the Morgan Street West project will have to be postponed until the Bypass work is completed. Mr. Cain hopes to follow this project schedule:

Morgan Street East	2012
Touby Pike	2013
Morgan Street West	2014

There are several issues, including annexation, and the Dixon Road Project, that must be considered. Mr. Cain thanked Commissioner Trine for his patience and understanding.

4. **Road Closures:** At the November 1st meeting, Mr. Cain informed the Board that he would be talking to the State concerning the projects on County Road 300 South and County Road 100 South, as to when those roads would be opened (*please refer to page one, item two, "In The Matter Of Highway Department Issues", of the Regular Meeting minutes dated November 1, 2010*). County Road 100 South could be opened as quickly as this Friday, if everything goes as planned, and no later than November 30, 2010. There are several issues that will need to be addressed, the first being who will maintain the interchange in the winter. Because it is a State right-of-way, Mr. Cain believes the State should maintain it, but he will certainly have his trucks plow and salt, as they go by.

Concerning County Road 300 South, Mr. Cain read e-mails sent to the State and received from the State. The State wants to leave the road closed until the installation of two (2) large drainage structures and two (2) bridges to US 31 Freeway have been completed (late spring or early summer of 2011). Mr. Cain responded and informed the State of the hardships this would cause the County. He also commented that he felt that Howard County was being taken advantage of, and that he was expecting the State to maintain the detour routes through the winter, and repair any damage to the roads. Mr. Cain received further word from the State that County Road 300 South would be opened by the end of November.

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 is three hundred twenty-six (326), fifty-two (52) being females. Earlier in the month the population was down to three hundred nineteen (319) inmates.
2. **Keefe Commissary:** Keefe Commissary has submitted a contract for inmate account services, including phone and commissary services. The current provider, J-Pay, has been given a thirty-day notice of termination. Mr. Murrell will review the contract for further action.
3. **Disposal Of Unused Property Items:** Sheriff Talbert informed the Board of a company called Propertyroom.com that is a disposal of property service that uses on-line auctions. Sheriff Talbert submitted an Agreement for Mr. Murrell's review. Mr. Murrell has received the contract and is in the process of reviewing it. On today's agenda a representative from EASI will be here to talk about reverse auctions, and Mr. Murrell is aware of several other companies that operate reverse auctions. Mr. Murrell suggested we look at several companies as well as decide a policy and coordination of services for companies we might already be using. Propertyroom.com is currently being used by the City of Kokomo, and Sheriff Talbert sees a potential of sharing services with them. The Sheriff's Department will continue to work on this issue.
4. **Possibility Of Donated Sign:** Sheriff Talbert has wanted to have a message board type sign installed on the grounds of the Criminal Justice Center, to display traffic information, county events and meetings,

inmate counts, etc., but the sign is cost prohibitive at this time. He may, however, have the opportunity to accept a donated sign from a local business. He would need equipment to install the sign as well as budgeted monies to operate and maintain the sign. Jail Maintenance Supervisor Art Fross stepped to the podium to give the following specifications. The sign in question is twenty-six (26) inches tall and eight feet wide. These specifications are within the parameters of the signage ordinance. Mr. Fross hasn't seen the sign yet. The sign can be remotely operated from inside the Criminal Justice Center and programmed from a computer. He believes the sign is two sided. Mr. Fross will be attending a meeting this afternoon, concerning the sign in question, and he would like permission to proceed. At the completion of ensuing discussion a motion was made by Mr. Thompson, seconded by Mr. Trine and carried to authorize Sheriff Talbert to accept the donation of a message board type sign. Sheriff Talbert also stated that Sheriff Elect Steve Rogers is on board with this project, as well. The sign board operates from 110 electricity and Sheriff Talbert understands it to be a wireless sign using single color red led lights. He intends this sign to show information only – no graphics.

IN THE MATTER OF PLAN COMMISSION ISSUES:

Plan Commission Director Greg Sheline submitted the following issues for the Board's information and approval:

1. **Unsafe Building:** The Enforcement Authority's Order for the property located at 1207 Moccasin Trail has been sent out. The Public Hearing is set for Monday, December 6 at 4:30 p.m. Mr. Sheline has not received any information back or had any response from mortgage companies at this time.
2. **Flood Mitigation:** FEMA has received all floor elevation certifications, and Mr. Sheline has been named project manager.
3. **US 31 Corridors Plans:** At the last Commissioner meeting the Board of Commissioners approved Resolution No. 2010-BCCR-19, adopting the U.S. 31 Corridors Comprehensive Plan Amendment (*please refer to page two, item one, "In The Matter Of Plan Commission Issues", of the regular meeting minutes dated November 4, 2010*). Last Friday Mr. Sheline began preliminary discussions concerning the overlay districts for the current 31 Bypass and the new US 31. He will need to appoint a committee to address these concerns.

IN THE MATTER OF MAINTENANCE ISSUES:

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

1. **Health Department Generator:** The generator for the Health Department has been installed and the Maintenance Department is working on the wiring. Mr. Reed thanked both the Board of Commissioners and the County Council for their approval to install the generator. The project should be completed by the end of the week. If the Health Department's Grant is approved, they will be reimbursing the Cumulative Capital Fund.
2. **Generators For The Administration Centers And Courthouse:** Mr. Reed obtained quotes from Lowdermilk for generators for the Administration Center and the Courthouse. The costs are prohibitive for full coverage for both buildings. Mr. Reed offered to obtain estimates for just the boiler and server rooms, if the Board of Commissioners were interested.
3. **Pad In Front Of Administration Center:** Mr. Reed was asked to seek an estimate for a fourteen (14) foot pad and a walkway to the pad, on the north side of the Administration Center, for the possibility of a Veteran Monument. Mr. Shaff, of Dwight Shaff Masonry, will submit an estimate not to exceed \$7,000.00, which will include running water and electricity for the proposed fountain. At the same time, Mr. Shaff would seal the current exposed aggregate walkway around the building. A motion was made by Mr. Thompson to approve the estimate for the 14 foot pad and walkway, in an amount not to exceed \$7,000.00, to be done regardless of whether a Veteran monument is constructed.
4. **MacAllister Contracts:** Mr. Reed sent out the signed MacAllister contracts, for generator service.

IN THE MATTER OF PERSONNEL DEPARTMENT ISSUES:

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

1. **Employee Flu Shots:** The Health Department has at least seventy-four (74) doses of vaccine left. Another employee memo will be sent to notify employees that there is one more opportunity to get the flu shot, by appointment only. The Board of Commissioners asked that Ms. McKillip check with other agencies and schools to ascertain if they would accept a donation of flu vaccine. They also asked Ms. McKillip to include a deadline date in the employee memo.
2. **Internship Fair:** Ms. McKillip and Ms. Dockemeyer will be attending the Intern Fair sponsored by Indiana University Kokomo, on Wednesday, November 17, 2010 from 11:00 a.m. until 12:00 noon. Ms. McKillip has used fourteen (14) interns in her office, through the years, and commented that it is a very good program.
3. **NOVIA Employee Clinic:** Ms. McKillip reported that the NOVIA Employee Clinic is doing well. We are at 80% utilization. More information concerning the clinic will be discussed during the Anthem Open Enrollment for health insurance.
4. **Health Care Renewal:** The Health Care employee packets will be distributed before the Thanksgiving holidays, in anticipation of Open Enrollment to be held on Wednesday, December 1st and Thursday, December 2nd. Mr. Doug Heath from Regions Insurance informed the Board of Commissioners that the Insurance Committee met to review the renewal of the Health Insurance Plan for February 1, 2011. The County saw a small increase in administration fees for the coming year 2011. There was also a small increase in claim liability. After a review of all reports and changes the Committee unanimously recommends renewing the medical and vision portion of the policy with no changes. The Committee also recommends that we approve the dental plan without the PPO Network because the out of network claims have decreased. It was concluded to be in the best interest of the employees to resume the prior plan, effective December 1st, 2010. A legislative change that will affect the open enrollment for the next year will be that dependents up to age twenty-six (26), single or married can stay on their parents' plan. A motion was made by Mr. Thompson to cancel the PPO Network and resume the previous dental plan, and to approve the 2011 Anthem Plan, authorizing the President to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Trine and carried.

IN THE MATTER OF CHRISTMAS ACTIVITIES AT THE COUNTY MUSEUM:

Museum Director Kelly Karickhoff submitted a booklet outlining Christmas events at the Seiberling Mansion. She reviewed the booklet with the Board and requested the distribution of the booklet to the County's employees through the mail box system in the Auditor's Office. A motion was made by Mr. Thompson, seconded by Mr. Trine and carried to approve the booklet and its distribution through the mail box system in the Auditor's Office.

Ms. Karickhoff took this opportunity to publically thank Sheriff Talbert and the Inmate Work Crew for the work that was done at the Seiberling Mansion.

IN THE MATTER OF A REQUEST FROM THE KOKOMO DOWNTOWN ASSOCIATION:

Mr. John Wiles, from the Kokomo Downtown Association, submitted his annual request to use the Courthouse lawn and flag pole for several lighted displays from late November to early January, 2011. He also submitted a request to use the Courthouse rooftop for pyrotechnic displays on December 31st asking the Board to dismiss the fees associated with opening and closing the Courthouse. The KDA will use their power stations and Mr. Wiles submitted the packet that includes the needed insurance forms and approval to close the streets, given by the City of Kokomo Traffic Commission. Commissioner Thompson asked if the KDA was going to include any other light displays for the Courthouse. Mr. Wiles confirmed that they are purchasing four light displays for the corners of the Courthouse property as follows: "Peace On Earth", an automobile, Santa's sleigh and reindeer, and a Santa House (to be located on the northeast corner). Mr. Thompson informed Mr. Wiles that the Board is in the process of creating a policy for lighted displays at the Courthouse that will contain display criteria and guidelines for maintenance, installation and storage. Mr. Wiles also informed the Board that the train that is bringing Santa Clause Downtown, will be staying, possibly giving tours of the caboose. At the conclusion of Mr. Wiles' presentation, a motion was made by Thompson, seconded by Mr. Trine and carried to approve the

request to use the Courthouse lawn and flag pole for displays for the Christmas season beginning with the “Light Up Your Holidays” event, and to approve the use of the Courthouse roof for the pyrotechnic display on December 31, 2010, waiving the fees for the New Year’s Eve event.

IN THE MATTER OF A CONTRACT SUBMITTED FROM THE RECORDER’S OFFICE:

Recorder Linda Koontz submitted a contract for employee Karen Klein for back indexing services. Currently Ms. Klein is a part-time worker in the Recorder’s office, but beginning January 1, 2011, she will be the Chief Deputy under Recorder elect Brook Cleaver. As a Chief Deputy she is required to be contracted to continue to do that work. A motion was made by Mr. Thompson to approve the Contract with Ms. Karen Klein as submitted and authorize the President to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Trine and carried.

Ms. Koontz reminded the Board that in May of this year, the Recorder’s office started receiving e-recordings of documents. In the month from August to September, 3% of the filings were e-recorded. In October that amount rose to 5%, and in November, it rose to 10%.

IN THE MATTER OF A REQUEST TO PURCHASE A VAN FOR THE COUNTY HOME, HOWARD HAVEN:

Commissioner President Trine and Mr. Bob Krohl, from the Friends of Howard Haven, submitted a request to purchase a fifteen passenger van for Howard Haven for the transportation of residents to doctor visits and events. A used van could be purchased for an amount of \$15,000 to \$20,000. Mr. Murrell reminded the Commissioners that this is a small purchase and does not require quotes or bids. At the conclusion of ensuing discussion a motion was made by Mr. Thompson to authorize the Friends of Howard Haven to pursue the purchase of a new van, in an amount not to exceed \$20,000.00, and to authorize the President of the Board of Commissioners to approve the purchase on such terms as he deems appropriate. The motion was seconded by Mr. Trine and carried. Sheriff Talbert offered the services of mechanic Brad Kendall to inspect the vehicle before purchasing.

IN THE MATTER OF PUBLIC COMMENT:

President Trine opened the floor for public comments as follows:

1) Bill Galles, 804 Jeff Drive, Kokomo: Mr. Galles asked the Board of Commissioners to extend the Burn Ordinance to a permanent Burn Ban, because of the health hazard it poses to Howard County. Mr. Galles suggested the trend of the law is to protect people from second hand smoke and its effects. Mr. Galles understands that this is a “hot button” issue and that property owners outside of city limits have a right to burn. He reminded the Board that the State has restrictions and bans burning on the ground, but those restrictions are not obeyed. He feels that it must be addressed on the local level. Mr. Galles will be e-mailing his thoughts to the Board of the Commissioners and the newspaper.

Commissioner Thompson informed Mr. Galles that the Board does consult with the Fire Departments concerning when to institute and lift the burn ban. The City of Kokomo has a continuous burn ban. Most counties follow the state guidelines.

Mr. Galles advocates instituting a ban on ANY leaf burning, and banning burning of ANY kind in subdivisions.

Mr. Thompson expressed appreciation to Mr. Galles for his comments, and assured Mr. Galles that the Board of Commissioners will continue to review this situation.

Mr. Murrell also thanked Mr. Galles for addressing the Board of Commissioners with this concern. He also spoke to the problem of a needed enforcement authority when addressing the use of the Burn Ordinance, and how there currently is NO enforcement authority to prohibit the illegal burning. “Requiring more services requires more funds”. At this time of trying to reduce the size of Government and cutting county budgets, you have to prioritize where the money is spent.

FOR THE RECORD: Concerning the comment about the “Board of Commissioners prematurely lifting the Burn Ban”, Commissioner Trine asked that the record show that it was incorrectly reported that the Board of Commissioners prematurely lifted the Burn Ban. It was also incorrectly reported that the Board of Commissioners had contacted several fire agencies. Mr. Trine contacted one individual who is in authority over all the fire agencies, and that is where the recommendation came from to first implement the burn ban and then lift the burn ban. The burn ban has been reinstituted at the insistence of the Fire Authority, not by the Board of Commissioners.

2) Marveda Raper, 4423 South County Road 580 West, Russiaville: Ms. Raper is requesting the Board of Commissioners to enact an Ordinance prohibiting the use of large scale spray painting in residential areas. She informed the Board of an event that occurred last week when a neighbor spray painted his entire house, and the problems caused by the toxic fumes and paint dust. She continued to name the damaging effects of breathing this kind of toxin. She has called several agencies concerning this problem, concerned about the damage this may do to our air and water. She's also concerned that this type of activity would increase.

Attorney Murrell informed Ms. Raper that three years ago the Board of Commissioners enacted a comprehensive nuisance type ordinance that he believes would cover this type of activity. If it doesn't, the Board of Commissioners could amend the Ordinance. At the time of the creation of the Ordinance, the Solid Waste Department had agreed to use their enforcement officer, since the County did not have an enforcement officer or building inspector. Recently the Recycling Board rescinded that portion of the Ordinance, removing the Ordinances' enforcement officer. The current problem with this Ordinance is that there is no longer an enforcement authority. The County's only means of enforcement at this time is to take the offender to court, and that may be a little extreme.

Ms. Raper suggested that even though there is no enforcement, the media could be used to make people aware of the Ordinance and its guidelines and prohibitions. Informing the Public on this issue may deter activities that do not comply.

Mr. Murrell will review the ordinance to see if this situation would be covered by the Ordinance. He can amend the Ordinance, then, at the direction of the Board of Commissioners.

At the conclusion of comment, a motion was made by Mr. Thompson to authorize Attorney Murrell to review the current nuisance Ordinance and prepare an amendment if necessary. The motion was seconded by Mr. Trine and carried.

3) Ms. Judith Liggin was in attendance to address a request made at the October 4th Commissioner meeting regarding a Letter of Intent (*please refer to page five, "Judith Liggin, Designer Of Veteran's Family Monument" of the Regular Meeting minutes dated October 4, 2010*). Ms. Robin Williams, grant writer and fundraiser for the project, has not yet received a Letter Of Intent from the Board. Ms. Liggin is here to request the letter be sent in a timely manner. Discussion ensued concerning the monument, its placement, and who made the decision to move forward with this particular monument. Veterans Service Officer Robert Ladd stepped to the podium to give more clarification to this proposed monument. Because the Mayor of the City of Kokomo wanted to have a Veterans' Memorial, in June of 2009, the Mayor's Advisory Board asked for citizens to submit drawings to the Advisory Board for consideration. Two drawings were submitted and the Advisory Board wanted to use ideas from each drawing, but did not confirm any plan at that time. After further discussion, it was decided that the Courthouse Square was not the best location for a monument such as this. The monument has been put on hold.

Commissioner Thompson commented that the 2011 Board of Commissioners will change and the new Board may have a different plan concerning the proposed monument and its location. He knows the City originally wanted the monument on County owned property and that would take a decision by the Board of Commissioners.

Commissioner Trine suggested that Ms. Liggin go back to Mayor Goodnight and his office, where the idea originated. Veterans Service Officer Ladd, as a member of the Mayor's Veteran Committee, will bring up the subject of the monument on Ms. Liggin's behalf.

4) John House and Ted House, Electronic Auction Services, Inc. (EASI): Mr. Ted House and Mr. John House are Indiana Agents for EASI and they are here to make a presentation concerning Reverse Auction Services. EASI is in the business of assisting municipalities in the procurement of services, commodities, and heavy equipment, through the Reverse Auction process. Mr. House distributed copies of the presentation for the Board members. He then introduced Mr. Scott Patterson, who reviewed the information with the Board of Commissioners. A Reverse Auction is a way to replace the bid system electronically, in lieu of the paper process. There is no direct cost to the buyer; the awarding vendor pays the fee. EASI will source all suppliers, along with sending bid packages electronically. EASI "... utilizes a web-based tool where suppliers bid against each other by placing multiple lowering bids in an attempt to reach a virtual first place at the end of a set time period. Bids are received via an electronic interface where only the buyer sees each bidder's bid. The supplier only sees his/her numeric rank compared to first place after each lowering bid. The combination of these two processes implemented in the right competitive environment results in significant savings across a vast array of procurements for our clients." Mr. Patterson continued to cite examples from several municipalities and Counties. He also discussed working with the State QPA, using the QPA as a baseline or ceiling for bid process. They also work within the guidelines of State and local ordinances. EASI has a specifications library and can assist Department Heads with the preparation of

specifications. At the conclusion of the presentation, Mr. Patterson informed Mr. Murrell that he will submit a copy of their one-time basis agreement, for the Board's review.

IN THE MATTER OF CLAIMS AND REPORTS:

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

1. **Salary Claims:** The Salary, Hourly and Overtime Claims, payable November 19 and 26, 2010, in the amount of \$346,484.04 each, were approved on a motion made by Mr. Thompson and seconded by Mr. Trine. At this time, Auditor Wells requested authorization to buy back several vacation days that several members of her financial department do not have the opportunity to take before the end of this year. Because of the loss of one of the employees in that department, as well as other end of the year financial responsibilities, several employees have forty or more hours they haven't been able to take. Her Chief Deputy has 100 hours she has not been able to take. Ms. Wells does have money to fund the vacation buy back. Discussion ensued. Personnel Director Wanda McKillip commented that at this time the vacation buy back policy is only for departments that have to operate a 24/7 facility (limit of ten days). She believes there are other offices that have a similar situation of employees having unused vacation time that will be lost at the end of the year. She is concerned that if the Board authorizes the vacation buy back for one office, they will have to approve all offices, to be consistent. At the conclusion of discussion, it was the consensus of the Board to adhere to the policy and deny the request to buy back vacation days from employees in the Auditor's Office, and address this issue in 2011. Ms. Wells reminded the Board that any vacation buy back request would need to have enough funds in the Department's budget to fund the buy back.
2. **Operating Claims:** The Commissioners' Operating claims payable today, in the amount of \$322,847.18, were submitted and approved on a motion made by Mr. Thompson and seconded by Mr. Trine.
3. **Clerk's Report:** The Clerk's Report for the month ending October 31, 2010 was submitted. A motion was made by Mr. Thompson to accept the Clerk's Report for the month ending October 31, 2010. The motion was seconded by Mr. Trine and carried.
4. **School Bus Turn Around:** Ms. Wells is in receipt of a request for a School Bus Turn Around for Northwestern Schools. The proposed turn around would be located at 8750 West County Road 100 North. A motion was made by Mr. Thompson to approve the School Bus Turn Around for Northwestern School, subject to the review and recommendation of Highway Engineer / Superintendent Ted Cain.
5. **2011 Holiday Schedule:** The Holiday Schedule for 2011 was submitted with twelve listed Holidays and two Election Support days. At the conclusion of discussion, a motion was made by Mr. Thompson to approve the twelve holidays listed on the 2011 Holiday Schedule. Mr. Trine read the Holiday Schedule, aloud, and then seconded the motion. The motion was carried.

Three out of four years there is either a County or City election. There are several County offices that are in charge of administrating all elections. In 2011 there will be a City election and the Board of Commissioners approved the two election dates as Election Support Days, (closing County offices in order to administrate the elections) to be added to the 2011 Holiday Schedule, on a motion made by Mr. Thompson and seconded by Mr. Trine.
6. **Resolution No. 2010-BCCR-23:** Auditor Wells submitted for consideration resolution No. 2010-BCCR-23 (erroneously numbered 2010-BCCR-02) which would amend the County's Capital Improvement Fund for 2010-11 EDIT funds. The CIP was originally adopted February 1, 2010 as Resolution No. 2010-BCCR-02. It was indicated an amendment was necessary because the anticipated revenues for 2011 have decreased. Mr. Thompson moved to adopt this amendment and it was seconded by Mr. Trine and approved.

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

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

1. **Rebanding Closing Documents:** Mr. Murrell has received the final closing documents for the Sprint/Nextel Rebanding Project, but they have not yet been reviewed. A motion was made by Mr. Thompson, seconded by Mr. Trine and carried to approve the final closing documents for the Sprint/Nextel Rebanding Project, subject to Mr. Murrell's review, and authorize the President to sign the documents on behalf of the Board of Commissioners.
2. **Barnes & Thornburg Invoice:** Mr. Murrell submitted an invoice from Barnes & Thornburg in the amount of \$7,311.92. This invoice is for services rendered for the period ending September 30, 2010, concerning General Finance advice, Chrysler Corporation, closeout of Project Bing, and GMC matters. A motion was made by Mr. Thompson to approve the invoice as submitted. The motion was seconded by Mr. Trine and carried.

IN THE MATTER OF A TOWNSHIP APPEAL:

On behalf of Commissioner Moore, Auditor Wells submitted a Township Appeal for Jennifer R. Lanning, Center Township. The Hearing took place on Friday, November 12th, and Commissioner Moore was the Hearing Officer. After hearing both sides and giving consideration, Mr. Moore recommends that we uphold the denial of the Township Trustee. A motion was made by Mr. Thompson, seconded by Mr. Trine and carried to uphold the denial of the Township Trustee for the appeal of Jennifer R. Lanning.

IN THE MATTER OF COMMISSIONER ISSUES:

Commissioner Trine:

Mr. Trine submitted the November 16, 2010 Soil & Water meeting Agenda, and the minutes from the October 19th meeting. These were accepted on a motion made by Mr. Thompson and seconded by Mr. Trine.

IDEM Notices were submitted, reviewed, and accepted on a motion made by Mr. Thompson and seconded by Mr. Trine. They are listed as follows:

- 1) For the City of Kokomo, a Construction Permit which applies to the construction of the proposed sanitary sewer system, to be located east of Malfalfa Road and along Sycamore Road. It will be connected to a proposed lift station.
- 2) For Greg Alexander at 2763 North County Road 820 West, Kokomo, a renewal notice requiring paperwork to maintain a valid approval. This is for a Confined Feeding Operation.

The Veterans Service Office Monthly Report for the month of September, 2010, was submitted and accepted on a motion made by Mr. Thompson and seconded by Mr. Trine.

The EMA Calendar for the months of October and November, and the Activity schedule for November, were submitted and accepted on a motion made by Mr. Thompson and seconded by Mr. Trine.

The minutes of the August 26, 2010 LEPC meeting were submitted and accepted on a motion made by Mr. Thompson and seconded by Mr. Trine.

There being no further business to come before the Board of Commissioners at this time, the meeting was adjourned at 11:09 a.m. on a motion made by Mr. Thompson and seconded by Mr. Trine.

HOWARD COUNTY BOARD OF COMMISSIONERS:

DAVID A. TRINE, PRESIDENT

WILLIAM THOMPSON, VICE PRESIDENT

TYLER O. MOORE, MEMBER

ATTEST:

ANN WELLS, AUDITOR

Howard County Board of Commissioners Meeting November 15, 2010