

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING SEPTEMBER 6, 2011

The Howard County Board of Commissioners met in Regular Session on Tuesday, September 6, 2011, at 4:00 p.m. in Hearing Room 338 of the Administration Center. Those in attendance included President Tyler Moore, Vice President Paul Wyman, and Member Bill Thompson. Also in attendance were County Attorney Larry Murrell and Auditor Ann Wells.

The meeting was called to order by Sheriff Steve Rogers and conducted by President Moore. Commissioner Thompson led in the Pledge of Allegiance and Commissioner Wyman offered a word of prayer.

IN THE MATTER OF APPROVAL OF MINUTES:

The minutes of the August 15, 2011 Regular meeting, having been previously submitted and reviewed, were approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.

The minutes of the Special Session dated August 25, 2011 were submitted. Upon review it was noted that the date in the first paragraph should be changed to read "...August 25..." in lieu of July 25. A motion was made by Mr. Wyman and seconded by Mr. Thompson to approve the minutes of the Special Session as amended.

The minutes of the August 4, 2011 Administrative Session were submitted and approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.

The minutes of the August 25, 2011 Executive Session were submitted and approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.

The minutes of the August 30, 2011 Administrative Session were submitted and approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.

IN THE MATTER OF PUBLIC COMMENTS:

At this time President Moore opened the floor for public comment as follows:

Jerry Paul, 1326 South Webster Street, Kokomo, Indiana: Mr. Paul introduced Ms. Hannah Harrell, poster child for One Veteran – One Child – One Man tab program. The goal of this program is to collect 1 million pop can tabs, annually, on behalf of children in Howard County that are hospitalized at Riley Children's Hospital. The tabs help support the Ronald McDonald House in Indianapolis. This year over 5million tabs were collected. A plaque was presented to and accepted by the Board of Commissioners, as they commended Ms. Harrell for her work in this program. The Plaque will be displayed on the second floor of the Administration Center.

Mr. Paul would like to see the POW flag flown at the Courthouse. It was taken down during the Holiday Season and not returned. There was discussion concerning the proper flag etiquette. The Maintenance Department will continue to research the proper etiquette and return the flag to its place.

IN THE MATTER OF DEPARTMENTAL REPORTS:

PLAN COMMISSION:

1) Plan Commission Director Greg Sheline submitted Ordinance No. 2011-BCCO-24, rezoning properties owned by Carl & Nora Tolbert and located at 4044 S. County Road 460 E and 4261 E County Road 400 S. The request is to rezone the property from RR (Rural Residential) to VR (Village Residential). The request received a favorable recommendation from the Plan Commission. A motion was made by Mr. Wyman to approve Ordinance No. 2011-BCCO-24, rezoning property from RR (Rural Residential) to VR (Village Residential). The motion was seconded by Mr. Thompson and carried.

2) Grant funds have been frozen by the Federal Government, due to increased disasters in the United States. Mr. Sheline talked with Ms. Jan Crider, Flood Mitigation Assistance Coordinator at the State's Emergency Management (SEMA), and she assured Mr. Sheline that the funds earmarked for the Flood Mitigation Grant would still be disbursed to Howard County for those properties that are purchased by the end of October. What will not be disbursed are the funds for any properties that are not purchased by the deadline. They will be disbursed after the State has approved the Flood Mitigation Update Plan that will be submitted upon completion (*please refer to*

page three, items two and three, "In The Matter Of Attorney Issues", of the Regular Meeting minutes dated August 15, 2011). Mr. Sheline assured the Board of Commissioners that his office is currently in the process of obtaining title searches on the ten properties.

KINSEY YOUTH CENTER:

At the August 15th meeting the Board of Commissioners took the request to replace lighting in the gymnasium of the Kinsey Youth Center under advisement for further review, until today's meeting (*please refer to page one, Kinsey Youth Center, of the Regular Meeting minutes dated August 15, 2011*). The Board would like to open the project for proposals and Attorney Murrell now submits a Request For Proposals (RFP) For Gymnasium Lighting for the Board's approval. The Proposals must be submitted to the Auditor's Office on or before 8:00 a.m. on Monday, October 3, 2011. A motion was made by Mr. Wyman to approve the Request For Proposal for Gymnasium Lighting and to authorize President Moore to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Thompson and carried.

HOWARD HAVEN:

Superintendent Jennifer Vary submitted an Admission Application on behalf of Ms. Amy Clark. Ms. Clark is an ARCH transfer from another health care facility. A motion was made by Mr. Wyman to approve the Application for Admission for Amy Clark, with the standard 90 day probationary period. The motion was seconded by Mr. Thompson and carried.

SHERIFF DEPARTMENT:

Sheriff Rogers informed the Board of Commissioners that he and E911 Coordinator Nick Capozzoli gave authority to AT & T to add additional lines to the 911 phone system to accommodate the new fire station and police sub-station on Center Road. This work enabled the station to be fully operational by the end of the day on August 24, 2011. This work was outside of our current contract with AT & T and cost the County \$2,100.00. Mr. Capozzoli is asking for permission to approach the City of Kokomo, through proper channels, and ask that they assist with the payment of the installation costs.

*At 4:33 p.m. the Howard County Board of Commissioners recessed the Regular Meeting
in order to hold a previously scheduled Public Hearing
considering the demolition of 2295 South County Road 300 West*

Plan Commission Director Greg Sheline informed the Board of Commissioners that proper notice of this hearing was given, but there has been no response from the owner, Mr. Jeffrey Hines, or any other party having an interest in the property except for First Horizon. Mr. Hines is not present at this meeting, nor is a representative from Mortgage Electronics Registration Systems, Inc. However, Mr. Brent Potter was in attendance on behalf of First Horizon; he was invited to the podium.

Brent Potter, representative of the present mortgage servicer, Nation Star Mortgage, informed the Board that this property had been scheduled for Sheriff Sale on August 9, 2011. It was pulled from that sale because 1) it was transferred to a new servicer (Nation Star), and 2) they needed to take a closer look at the property with the current demolition proceedings and its problems. A further complication is that this loan is actually owned by Freddie Mac and the U.S. Taxpayers. Currently the property is scheduled for the November 15th Sheriff Sale, but that could be pulled, as well. There was a \$62,000 Judgment placed on the property in 2010.

Because of the meth labs in the home and the health hazard it presents to the neighborhood, Mr. Sheline recommends that the Commissioners move forward with the Demolition.

Attorney Murrell has prepared a Resolution granting a conditional final approval for demolition. The terms of the resolution were discussed and at its conclusion, a motion was made by Mr. Wyman to approve Resolution No. 2011-BCCR-26 allowing the Enforcement Authority to proceed with demolition and removal after November 20, 2011 to afford First Horizon time to a) mow the grass on the premises on or before September 21, 2011; b) commence assessment to determine if it wishes to take possession of, and remediate the Premises, before September 30, 2011; c) commence remediation of the Premises on or before November 20, 2011, according to the Board's requirements and any additional requirements imposed by the Howard County Department of Health and the State of Indiana. The motion was seconded by Mr. Thompson and approved.

Mr. Potter will contact the Plan Commission if the Mortgagor decides to walk away from the property.

***The Public Hearing was closed and the Regular Meeting reconvened at 4:56 p.m.
on a motion made by Mr. Wyman and seconded by Mr. Thompson.***

INFORMATION SYSTEMS:

- 1) Information Systems Director Terry Tribby submitted the results of the Bids for the Radio Repeater for the Russiaville area. Kokomo's Board of Works accepted two bids and awarded the bid to the vendor with the lowest bid. The equipment has been ordered and a location has been determined to be the 100 foot tower on Russiaville's City Hall. We still have matching funds for this project in the EDIT Fund. Mr. Tribby expressed appreciation to Deputy Chief Brad Bray, the City of Kokomo and the Fire Department.
- 2) The servers at the Criminal Justice Center and Kinsey Youth Center are at the end of their lives. Mr. Tribby would like to virtualize the servers for the CJC and Kinsey. There are several advantages, including the decrease in power consumption, less space needed, the ability to restore data in smaller time segments, and a disc to disc backup system in lieu of the current tape backup. The price would be \$51,450 and the committee, who has been meeting concerning this project, has decided that the Jail & Juvenile COIT Fund would be a good funding source. Mr. Tribby will be speaking to the Council after the Budget Hearing is complete. A motion was made by Mr. Wyman to approve the server project for the Criminal Justice Center and Kinsey Youth Center in the amount of \$50,450 to be paid from the Jail & Juvenile COIT, subject to the Council's approval, and authorize the President to sign documents on behalf of the Board of Commissioners. The motion was seconded by Mr. Thompson and carried.
- 3) Mr. Tribby sat in on a meeting at the Dispatch Center for a Datacenter Investment. If we move forward with the Server Project, that already addresses a big portion of this Project.

PERSONNEL:

Personnel Director Wanda McKillip submitted PAC Salary recommendations for the 2012 Budgets, for the Commissioners' direction. The Commissioners received and discussed the recommendations, and will address them with the Council at the Wednesday Council Budget Session.

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 Commissioners' Salary, hourly and overtime claims for September 9 and 16, 2011, in the amount of \$352,254.24 each, were submitted and approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.
2. **Operating Claims:** The Commissioners' Operating claims, payable today, in the amount of \$774,306.87 were submitted and approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.
3. **Close Finance Office:** On Tuesday, September 13, from 10:00 a.m. – 3:00 p.m., Howard County will host an Open Windows User's Meeting sponsored by the Auditor's Association and Harris, concerning the new Chart of Accounts required by the State Board of Accounts. The meeting will be held in Room 338 and Ms. Wells will close the financial portion of the Auditor's Office so they can attend the meeting.

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

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

1. **Resolution No. 2011-BCCR-27:** Mr. Murrell submitted Resolution No. 2011-BCCR-27, amending the 2010/2011 Capital Improvement Plan to include \$200,000 for the North Street Project and \$1,000 for the West Side Association Signage Project. A motion was made by Mr. Wyman to approve Resolution No. 2011-BCCR-27. Mr. Moore vacated the chair in order to second the motion. The motion carried by two votes. Mr. Thompson abstained.

2. **Darrough Chapel Project:** Mr. Murrell submitted Resolution No. 2011-BCCR-28, a resolution authorizing the submittal of the CFF Application and local match commitment of \$189,000, for the Darrough Chapel Sewer Project. A motion was made by Mr. Wyman to approve Resolution No. 2011-BCCR-28 and authorize President Moore to sign all documents that do not require full Board of Commissioners' approval, on behalf of the Board of Commissioners. The motion was seconded by Mr. Thompson and carried.
3. **Resolution No. 2011-BCCR-29:** This Resolution of the Howard County Board of Commissioners establishes a Sheriff's foreclosure sales checking account. In February of 2010 the Board entered into a Foreclosure Project Service Agreement with Lieberman Technologies, LLC, to allow Lieberman to manage and conduct real property foreclosure sales on behalf of the Sheriff. This Resolution completes establishment of the fund. A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to approve Resolution No. 2011-BCCR-29, establishing a Sheriff's Sale checking account. The motion was seconded by Mr. Thompson and carried.
4. **Resolution No. 2011-BCCR-25:** Mr. Murrell submitted Resolution No. 2011-BCCR-25, a resolution supporting the 2011/2012 United Way Campaign. The Board of Commissioners encourages employees to support the United Way, but does not require it. Resolution No. 2011-BCCR-25 was approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.
5. **Invitation To Quote:** E911 needs a new recording system. Coordinator Nick Capozzoli has done research on recording systems and would like to invite quotes from Inside Sales, Voice Products, Inc. and Word Systems Inc. These quotes are to be received no later than 4:00 p.m. on Thursday, September 15, 2011. A motion was made by Mr. Wyman to approve the Invitation To Quote on a Recording System for the E911 Dispatch Center, and authorize the President to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Thompson and carried.
6. **Agreement For Prepaid Debit Card Release:** Keefe Commissary Network, LLC is a company that provides Inmate Trust Fund services through a third party provision of prepaid debit cards for inmate use. This agreement authorizes Keefe to withdraw funds from a designated account to cover the funds necessary to issue the Cards. A motion was made by Mr. Wyman to approve the Agreement For Prepaid Debit Card Release, and authorize the President to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Thompson and carried.
7. **Barnes & Thornburg Invoice:** An invoice from Barnes & Thornburg was submitted in the amount of \$21,484.69, for services rendered through July 31, 2011 for General Motors matters. The invoice was approved for payment on a motion made by Mr. Wyman and seconded by Mr. Thompson.

IN THE MATTER OF COMMISSIONER ISSUES:

It was the consensus of the Board to revisit the PAC recommendations and give favorable or unfavorable recommendations to forward to the County Council. Each recommendation was discussed and given a recommendation as follows:

Superior Court II	Request new full-time position and delete part-time position	Favorable
Veteran's Office	Request increase one Adm Assistant to \$26,750	Unfavorable
	Request job title change from Adm Assist. to Admin Support Man	Favorable
	Request job title change from Adm Assist to Claims Adjuster	Favorable
Coroner	Request increase to Coroner position to \$40,000	Unfavorable
	Request part-time increase to \$6,000	Favorable
Prosecutor	Request increase to Pros Supplemental to \$13,050	Unfavorable
	Restructure 6 positions: 3 positions increase to 1 st Deputy \$34,314; other 3 positions to Crim Enforce Clerk	Unfavorable
Center Twp Assessor	Increase salary to \$47,504	Unfavorable

Commissioners	Assist Co. Attorney increase to \$16,500 Increase Benefits Rep to \$30,525 Co. Attny Legal Secretary decrease to \$10,000	Favorable Unfavorable Favorable
E911 Dispatch	Request 3 new full-time positions	Favorable
Court Security Officers	Superior Ct II increase to \$29,953 Superior Ct I increase to \$30,089 Superior Ct IV increase to \$30,608 Circuit Court increase to \$29,953	Unfavorable Unfavorable Unfavorable Unfavorable

COMMISSIONER THOMPSON:

Mr. Thompson read the following statement:

“In 2009, the Howard County Board of Commissioners studied several options for consolidating local governments. On April 5, 2010 the Citizens Committee for Consolidation (commonly called the CCC) was born.

Citizens from throughout the entire County including Kokomo, Russiaville, Greentown and the local news media were asked to be a part of this non-political committee. To date, the CCC has done an outstanding job; going well “above and beyond” all expectations. By design, the CCC works for all the citizens of Howard County and is governed by the Board of Commissioners.

I believe it is time for the CCC to have total autonomy. The Committee itself would establish its own rules and identification.

I am asking the Board of Commissioners today to consider this request.”

The Board will review the request and address it at their September 20th meeting

COMMISSIONER WYMAN:

A motion was made by Mr. Wyman to direct Highway Superintendent / Engineer Ted Cain to remove the barrels at the north entrance of Indian Heights, place reflective strips on the length of the signs, and re-paint the road stripes to make the intersection more understandable. If Mr. Cain does not have the funds for this repair, it can be paid from the Cumulative Capital Fund. The motion was seconded by Mr. Thompson and carried.

COMMISSIONER MOORE:

The Board of Commissioners has been invited to the Drug Court Graduation on Monday, September 12, 2011, at the Government Center.

Mr. Moore submitted a letter from Purdue University thanking the Commissioners for their previous support of the Howard County 4-H Program, and request support of the 2012 4-H year in the amount of \$25,000.

Mr. Moore Submitted a Notice of Public Comment for the application of an Air Permit made by E & B Paving Inc. A motion was made by Mr. Thompson to accept the IDEM Notice. Mr. Moore vacated the chair to second the motion and the motion carried with two votes.

With regret, Mr. Moore submitted and read a letter of resignation from County Surveyor Dan Minor as follows:

“Gentlemen,

I hereby resign immediately from the office of Howard County Surveyor. It has been my pleasure to serve the taxpayers of Howard County for over 37 years.

Sincerely,
Daniel J. Minor R.L.S.”

Mr. Minor's resignation was received on a motion made by Mr. Wyman and seconded by Mr. Thompson. The Commissioners thanked Mr. Minor for his years of service. The resignation is effective September 6, 2011 and a copy of the Letter of Resignation will be given to the Auditor to forward to the County Clerk's office. Mr. Moore will draft a letter to Republican Party Chairman Craig Dunn.

Mr. Moore heard four Township Appeal Hearings and offered recommendations as follows:

Sherry L. Peace, Center Township: As Hearing Officer Mr. Moore recommended the Denial of the Township Trustee be upheld. A motion was made by Mr. Thompson, seconded by Mr. Wyman and carried to uphold the denial of the Township Trustee.

Gabrielle D. Kirby, Center Township: Hearing Officer Moore recommended the Denial of the Township Trustee be upheld. The denial was upheld on a motion made by Mr. Thompson and seconded by Mr. Wyman.

Mercedes J. McGovern, Center Township: Hearing Officer Moore recommended the Denial of the Township Trustee be upheld. A motion was made by Mr. Thompson to uphold the denial of the Township Trustee. The motion was seconded by Mr. Wyman and carried.

Anika N. Clark, Liberty Township: Hearing Officer Moore recommended the Denial of the Township Trustee be upheld. A motion was made by Mr. Thompson, seconded by Mr. Wyman and carried to uphold the denial of the Township Trustee.

There being no further business to come before the Board at this time, the meeting was adjourned at 6:50 p.m. on a motion made by Mr. Wyman and seconded by Mr. Thompson.

HOWARD COUNTY BOARD OF COMMISSIONERS:

TYLER O. MOORE, PRESIDENT

PAUL G. WYMAN, VICE PRESIDENT

WILLIAM THOMPSON, MEMBER

ATTEST:

ANN WELLS, AUDITOR
Howard County Commissioner Regular Meeting September 6, 2011