

## **HOWARD COUNTY BOARD OF COMMISSIONERS MEETING JUNE 6, 2011**

The Howard County Board of Commissioners met in Regular Session on Monday, June 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 Board President Tyler Moore. Commissioner Thompson led in the Pledge of Allegiance and Vice President Wyman offered a word of prayer.

### **IN THE MATTER OF APPROVAL OF MINUTES:**

The minutes of the Regular meeting dated May 16, having been previously submitted and reviewed, were approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.

The minutes of the Administrative Meeting dated May 24, 2011 were submitted and reviewed. A motion was made by Mr. Wyman to approve the minutes as submitted. The motion was seconded by Mr. Thompson and carried.

### **IN THE MATTER OF DEPARTMENTAL REPORTS:**

#### **SHERIFF DEPARTMENT:**

- 1) Sheriff Rogers informed the Board that his department booked in over one hundred (100) people over the Memorial Day weekend. The current prisoner count is still down, however.
- 2) At the November 15, 2010 meeting the Board of Commissioners gave authority to Sheriff Talbert to accept the donation of a wireless digital informational sign from Central National Bank (*please refer to page two, item four, "In The Matter Of Sheriff Department Issues" of the Regular meeting minutes dated November 15, 2010*). A framework for the sign needs to be constructed and Sheriff Rogers would like the sign to be located either above or near the current sign. The sign could also be used by other County departments. Sheriff Rogers requested that the Commissioners confirm their approval before he accepts the donation. It was the consensus of the Board to move forward with the project.
- 3) The Sheriff's Annual Inspection was last Thursday. Sheriff Rogers appreciates the County officials who attended, saying that it was a good inspection and a great event.
- 4) Howard County was chosen as the site for the Annual Legal Update sponsored by the Indiana Sheriff's Association and the Association of Chiefs of Police. The seminar will be on Tuesday, June 7<sup>th</sup>, at the Continental Ballroom and Sheriff Rogers expects around one hundred twenty-five in attendance. The event is being organized by the Sheriff's Department and it will review all the new legislation. Attorney Murrell and Attorney Wilson will be attending. Sheriff Rogers commented that it was an honor to be chosen to host the event.
- 5) Kudos were given to the Sheriff's Department and especially to Officer Richard Ferguson, for his storm-chasing activities during the thunderstorms last Saturday.

#### **INFORMATION SYSTEMS:**

- 1) Information Systems Director Terry Tribby has received a quote from Dell for forty-seven workstations for Kinsey Youth Center, in the amount of \$32,853.00. This quote was even lower than the State's QPA, after negotiations, and is a very good quote. KYC's computers are five to seven years old and this project has already been budgeted. Because this purchase is over \$10,000, Mr. Tribby needs the Board's approval. A motion was made by Mr. Wyman to approve the purchase of forty-seven Dell work stations for Kinsey Youth Center, in the amount of \$32,853.00. The motion was seconded by Mr. Thompson and carried.
- 2) At the April 18<sup>th</sup> meeting, Mr. Tribby submitted an agreement with A T & T (Western States Alliance) to set up an account for Howard County to receive government pricing for the possibility of future service with them (*please refer to page three, "Information Systems Department", of the Regular Meeting minutes dated April 18, 2011*). It was found that Indiana is a part of the Western States Alliance and can participate in the contract that allows Howard County to receive 21% off the retail pricing. A further benefit allows any Howard County employee that has a personal A T & T contract or wireless products can purchase at a 15% discount. There is no initial cost associated with this Agreement. In looking at wireless vendors, AT & T is in the process of purchasing

T Mobile (will have 48% marketing share); that leaves Verizon and Sprint as the remaining vendors. Verizon is still the leader in Howard County, but there are areas in Howard County that do not have good coverage. In reviewing wireless companies, Mr. Tribby looks at the following criteria: coverage area (highest priority), pricing, customer service, billing, and reliability of services provided. At the conclusion of his request a motion was made by Mr. Wyman to approve the Participating Addendum under the Western States Contracting Alliance, Wireless Communication Services and Equipment, to receive government pricing for the possibility of future service, and authorize the President to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Thompson and carried. Mr. Tribby thanked Attorney Murrell for his review of the lengthy agreement and for his input.

3) Mr. Tribby is close to completing the emergency center for the Emergency Management Agency, from grant funds. There will be a practice run upon completion of the project. Then the State will be invited to a “rehearsal”. He invited the Board of Commissioners to visit the emergency center. Mr. Tribby believes the Commissioners will be impressed.

**KINSEY YOUTH CENTER:**

The 1998 GMC van used by Kinsey Youth Center is no longer operational. The van has over 119,000 miles on it and Director Brent Kelley would like to replace the van from the Cumulative Capital Fund. He submitted quotes as follows:

Kokomo Auto World	Option 1, 2012 Ford Fusion S	\$16,983.25
	Option 2, 2011 Ford Fusion S	\$17,677.25
Eric’s Chevrolet	2011 Chevrolet Malibu	\$19,275.00
	2011 Chevrolet Cruze	\$17,950.00
	2011 Chevrolet Express	\$30,286.90

Mr. Kelley recommended the purchase of the 2012 Ford Fusion S, in the amount of \$16,983.25. This vehicle will have to be ordered and it will take six to eight weeks to be delivered. Kokomo Auto World is willing to give Mr. Kelley a trade-in value of \$500 and Mr. Kelley is asking for approval of the purchase in an amount not to exceed \$16,750.00. Kinsey Youth Center has two other vehicles that are in good shape and he expects they will not need to be replaced in the next twelve months. Mr. Kelley has another van in the current fleet and feels that the Fusion will meet their needs and is much more cost efficient. A motion was made by Mr. Wyman to approve the purchase of the 2012 Ford Fusion (Option 1) from the Cumulative Capital Fund (150-04723.23), in an amount not to exceed \$16,700.00. The motion was seconded by Mr. Thompson and carried.

**PERSONNEL DEPARTMENT:**

1) At the May 16<sup>th</sup> meeting the Board of Commissioners approved the increase of the mileage rate from \$.40 to \$.44, to match the State rate (*please refer to page two, “In The Matter Of A Request To Amend The County’s Mileage Rate”, of the Regular Meeting minutes dated May 16, 2011*). Personnel Direct Wanda McKillip now submits the amendment to Resolution No. 1998-HCC-21 to reflect the mileage rate increase. The amended Resolution No. 1998-HCC-21 was approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.

2) The Red Cross will hold a CPR / AED Training Course for employees that want to be certified in the use of the AED, on Wednesday, June 22<sup>nd</sup> in the basement of the Administration Center. Twenty people can attend the training. If there any are any more interested we can host another class. She reminded the Board that the AED at the Administration Center is located outside the Personnel Office on the second floor.

*At this time the regular meeting was recessed on a motion made by Mr. Wyman and seconded by Mr. Thompson, in order to hold a previously scheduled Public Hearing concerning the demolition of the unsafe property located at 2295 South County Road 300 West.*

Plan Commission Director Greg Sheline took the floor and requested that this Public Hearing be rescheduled for Tuesday, July 5, 2011 at 4:30 p.m. Mr. Sheline has not received notification back from several financial institutions concerning the certified information sent to them. He also has not received word from the owner, who, it has been noted, is not in attendance at this hearing. A motion was made by Mr. Wyman to reschedule the Public Hearing for unsafe property located at 2295 South County Road 300 West for 4:30 p.m. on Tuesday, July 5, 2011. The motion was seconded by Mr.

Thompson and carried. This being a “due process” proceeding, Attorney Murrell has prepared Resolution No. 2011-BCCR-15, reflecting the rescheduling of the Hearing. Mr. Murrell also suggested that Mr. Sheline send notification through first class mail as well as certified mail. A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to approve Resolution No. 2011-BCCR-15.

*There being no further public comment  
the Public Hearing was closed and the regular Commissioner meeting was reconvened  
on a motion made by Mr. Wyman and seconded by Mr. Thompson.*

**IN THE MATTER OF A NEW ANIMAL CONTROL BUSINESS:**

Mr. Deric Beroshok is a twenty-one year veteran of the Kokomo Police Department and owns a small business, Wildlife Control Services. He removes nuisance animals such as raccoons, moles, etc, and has done work for the City of Kokomo and Howard County. Mr. Beroshok is a certified police dog handler / instructor with the Indiana Law Enforcement Training Board and a certified / licensed nuisance wildlife control operator by Indiana Department of Natural Resources. Mr. Beroshok is expanding his business to include all animal control under the Kokomo / Howard County Pet Shelter. His mission is to provide safe, sanitary conditions, and the best environment for pets that are between homes. Mr. Beroshok distributed copies of his business plan to the Board of Commissioners and reviewed the plan with them. He believes he can offer better service, be more responsive to emergency calls, provide a safer environment for the animals, have less restrictive public hours, and offer a decrease in price from the County’s current provider. Mr. Beroshok is also well acquainted with the judicial process connected with ordinance tickets. Mr. Beroshok will offer a three year service at \$170,000 annually. This is an annual savings of \$10,000 and \$30,000 for three years. The location of this facility is the east side of the Park Road and Washington Street intersection, the former Southside Lumber. At the conclusion of his presentation, the Commissioners asked a few questions. Mr. Murrell informed the Board that since this is a service contract, they would not need to go through a bid process. He recommended the Board take this proposal under advisement. By consensus, the Board of Commissioners will take this under advisement for further review.

**IN THE MATTER OF THE 2012 SURVEILLANCE AGREEMENT:**

Mr. Larry Ives from the Governmental Coordinating Council submitted the 2012 use of Metropolitan Planning funds for the surveillance agreement between Howard County and the Kokomo and Howard County Governmental Coordinating Council. The amount of the funds is \$2,500 and this agreement was approved by the Policy Board at their meeting last week. A motion was made by Mr. Wyman to approve the PL Supplement to the Agreement between the Kokomo and Howard County Governmental Coordinating Council and Howard County for the use of Metropolitan Planning Funds (PL Funds) in State Fiscal Year 2012. The motion was seconded by Mr. Thompson and carried.

Mr. Moore submitted a copy of the letter to be sent to the Indiana Department of Transportation, as the proposal for consideration concerning the extension of the Nickel Plate Trail to connect to the Trails for Kokomo. This proposal has been tentatively agreed to by INDOT connecting to the trail through the new Highway 31 to the existing Highway 31.

Mr. Moore recognized the attendance of Councilman John Roberts, at this afternoon’s meeting.

**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:** Salary, hourly and overtime claims payable June 10 and 17, 2011, in the amount of \$352,254.24 each, were approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.
2. **Operating Claims:** Operating Claims payable today, in the amount of \$677,958.08, were submitted and approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.
3. **Treasurer’s Report:** The Treasurer’s Monthly report for the month ending April 30, 2011, was submitted and accepted on a motion made by Mr. Wyman and seconded by Mr. Thompson.
4. **Clerk’s Report:** The Clerk’s Monthly report for the month ending May 31, 2011 was submitted and accepted on a motion made by Mr. Wyman and seconded by Mr. Thompson.

5. **Weights & Measures Report:** The Weights and Measures report for the month of April 16, 2011 to May 14, 2011, was submitted and accepted on a motion made by Mr. Wyman and seconded by Mr. Thompson.

**IN THE MATTER OF COUNTY ATTORNEY ISSUES:**

Attorney Larry Murrell submitted the following issues for the Commissioners' information and approval:

1. **Resolution No. 2011-BCCR-14:** At the May 16<sup>th</sup> meeting the Board of Commissioners approved the \$56,000 grant and the \$160,000 loan to the town of Russiaville (*please refer to page two, "In The Matter of the Russiaville Loan Request", of the Regular Meeting minutes dated May 16, 2011*). A motion was made by Mr. Wyman to approve Resolution No. 2011-BCCR-14 (Town of Russiaville Resolution No. 2011-6), the transfer of \$160,000 to the Town of Russiaville, and the loan specifications. The motion was seconded by Mr. Thompson and carried.
2. **Resolution No. 2011-BCCR-12:** This is the revised final draft of the resolution of the Board of Commissioners to authorize the transfer of property to the IVY Tech Community College of Indiana (*please refer to pages three and four, "In The Matter Of The Kokomo Event Center Discussion", of the Regular Meeting minutes dated May 2, 2011*). A motion was made by Mr. Wyman to approve Resolution No. 2011-BCCR-12. Mr. Moore vacated the chair to second the motion. The motion carried with two "aye votes" and one "nay" vote. Commissioner Thompson read the following statement:

"There are County taxpayers that believe giving the Event Center away is a wise decision, and there are County taxpayers that believe giving away the Event Center is not a wise decision; I am voting "No" to represent the latter."
3. **Resolution No. 2011-BCCR-16:** As the transfer of the Kokomo Event Center proceeds, there are several issues that need to be addressed. The first is Resolution No. 2011-BCCR-16, which reaffirms the agreement to transfer the Kokomo Event Center and authorizes President Moore to execute documents necessary to close the transaction. A motion was made by Mr. Wyman to approve Resolution No. 2011-BCCR-16. Mr. Moore vacated the chair to second the motion. The motion carried with two "aye" votes and one "nay" vote.
4. **Early Access To Event Center:** This request is to grant IVY Tech College early access to the Kokomo Event Center building. A motion was made by Mr. Wyman to approve the agreement to allow IVY Tech early access to the Kokomo Event Center. President Moore vacated the chair in order to second the motion and authorize the President to sign on behalf of the Board of Commissioners. The motion carried with two "aye" votes and one "nay" vote.
5. **Resolution No. 2011-BCCR-13:** This resolution amends the Capital Improvement Plan for 2010/2011, to include the \$56,000 grant to the Town of Russiaville, the \$160,000 loan to the Town of Russiaville, and the Traveling Monument donation of \$3,500. Resolution No. 2011-BCCR-13 was approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.
6. **Resolution No. 2011-BCCR-11:** This resolution to amend the meeting room rules for the Government and Administration Centers was approved at the May 2, 2011 meeting and just requires signatures (*please refer to page one, Item 1, "In The Matter Of Departmental Reports: Maintenance" of the Regular Meeting minutes dated May 2, 2011*). A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to confirm the Commissioners' prior action.
7. **Lieberman Contract:** Mr. Murrell submitted a contract with Lieberman Tech, on behalf of the Sheriff's Department. This contract is a licensing agreement for the Sheriff's Commissary account tracking system. A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to approve the Licensing Agreement with Lieberman Tech, and authorize the President to sign on behalf of the Board of Commissioners.
8. **Barnes & Thornburg Invoice:** An invoice from Barnes and Thornburg in the amount of \$35,745.69 was submitted by Mr. Murrell. This was for services rendered for the period ending April 30, 2011, for

the General Motors project. The invoice was approved for payment on a motion made by Mr. Wyman and seconded by Mr. Thompson.

9. **Integra Invoice:** Mr. Murrell submitted the invoice from Integra Realty Resources, Michael C. Lady, in the amount of \$3,500 for the complete appraisal of the Kokomo Event Center. The invoice from Integra Realty Resources, in the amount of \$3,500, was approved for payment on a motion made by Mr. Wyman and seconded by Mr. Thompson.
10. **Recent Firearms Legislation:** Our State legislature has enacted new legislation pertaining to firearms effective July 1, 2011. The legislation restricts employers from imposing certain rules on guns in the work place. Howard County currently has two documents that deal with guns. One is an Ordinance that prohibits guns in the Courthouse. That ordinance is still permissible. The other document is the Personnel Policy handbook and that document has firearms rules that are not compliant with the new legislation. A consultant, preparing an amendment to the Policy handbook and Mr. Murrell will submit the amendment at the June 20<sup>th</sup> meeting.
11. **Legislative Seminar:** Both Mr. Murrell and Assistant County Attorney Alan Wilson will be out of the office on Tuesday, for the Legislative Seminar at the Continental Ballroom mentioned earlier in the meeting (*page one, item four, Sheriff Department*).

#### **IN THE MATTER OF COMMISSIONER ISSUES:**

##### **COMMISSIONER WYMAN:**

- 1) Several weeks ago the Relay for Life sponsored the first half marathon held in Kokomo. Mr. Wyman thanked the Emergency Management Agency for their efforts to insure safety on the marathon route along Old Sycamore Road. They did a “phenomenal job” and it was a great community event.
- 2) Mr. Wyman thanked the Maintenance Department and all who participated in the renovation of the front lawn of the Administration Center. Commissioner Thompson also forwarded a compliment on the renovation of the first floor hearing room in the Government Center. The triathlon event was held last Saturday and the EMA was out again, working through the event, and then working during the storms later in the day. Sheriff Rogers commented that “...EMA is a great multiplier of resource”.
- 3) Mr. Wyman was the Hearing Officer for the Township Appeal of Amber N. Watson of Harrison Township. It is Mr. Wyman’s recommendation to uphold the denial of the Township Trustee, based on the finding that the Township Trustee followed the Eligibility Standards and Guidelines for Township Assistance applicable to this case. The decision to uphold the denial of the Township Trustee was approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.

##### **COMMISSIONER MOORE:**

- 1) The Veterans Service Officer’s Monthly reports for the months of March and April, 2011, were submitted and accepted on a motion made by Mr. Wyman and seconded by Mr. Thompson.
- 2) An IDEM notification letter was received for the addition of a Mobile Trailer to the Greentown Landfill, at the existing Firearms Training Facility. A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to accept the IDEM notification of the addition of a mobile trailer, FP34-02.
- 3) The Board received a notice from the Indiana Department of Transportation concerning an evaluation to determine the allowable costs under the contract dated December 29, 2003. The notification was received on a motion made by Mr. Wyman and seconded by Mr. Thompson.
- 4) The Board of Commissioners received an invitation to the Senior Health Fair at the Brentwood Green Apartments. They also received an invitation to the Howard County Hall of Legends on Friday, July 8, 2011.

**IN THE MATTER OF A CLIENT REPRESENTATIVE DOCUMENT FROM SCHNEIDER:**

First Deputy Surveyor Greg Lake submitted a Client Representative Document from Schneider, allowing additional individuals to be designated as having the authority to transfer information with Schneider, concerning GIS project matters. Mr. Lake would like to add himself, Terry Tribby (IT Director) Laura Johnson and Ann Wells (Auditors Office), and Jamie Shepherd (County Assessor) to the Client Representative list. Since he just received this notification, during the meeting, he would ask that this be approved subject to Attorney Murrell's review. Mr. Lake's office is in the middle of working with several GIS layers. Because the document was a single page, Mr. Murrell gave a quick review and approval. A motion was made by Mr. Wyman to approve the Designation of Client Representatives Document and authorize the President to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Thompson and carried.

President Moore expressed appreciation to Mr. Clee Oliver for Mr. Oliver's posting of the meeting's agenda on social media, and encouraging the public to become interested and involved in the political process.

There being no further business to come before the Board of Commissioners at this time, a motion was made by Mr. Wyman to adjourn the Regular meeting. The motion was seconded by Mr. Thompson and carried. The meeting was adjourned at 5:36 p.m.

**HOWARD COUNTY BOARD OF COMMISSIONERS:**

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TYLER O. MOORE, PRESIDENT

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PAUL G. WYMAN, VICE PRESIDENT

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WILLIAM THOMPSON, MEMBER

ATTEST:

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ANN WELLS, AUDITOR

Howard County Board of Commissioners Regular meeting June 6, 2011