

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING JANUARY 4, 2011

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

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

IN THE MATTER OF REORGANIZATIONAL ACTIVITY:

A motion was made by Mr. Thompson to nominate and select Vice President Moore as President of the Board of Commissioners. The motion was seconded by Mr. Wyman and carried. A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to close the nominations. Commissioner Moore is now the President of the Board of Commissioners.

A motion was made by Mr. Thompson to nominate and select Commissioner Paul Wyman to the position of Vice President. President Moore vacated the chair and seconded the motion.

On behalf of the Board of Commissioners, Commissioner Thompson welcomed newly elected Vice President Wyman to the Board of Commissioners. There are some exciting changes in store for this year and Mr. Thompson looks forward to working with Mr. Moore and Mr. Wyman and for the opportunity of providing fair representation for our community.

IN THE MATTER OF APPROVAL OF MINUTES:

The minutes of the December 30, 2010 meeting are not ready for submission at this time. A motion was made by Mr. Wyman to table the approval of the minutes of the December 30th meeting until the January 18, 2011 meeting. The motion was seconded by Mr. Thompson and carried.

At this time President Moore informed all present of the change in the meeting's agenda to include a time for Public Comment before Departmental Reports, as well as at the end of the agenda. An e-mail to Office Holders and appointed Department Heads, as well as a follow-up e-mail, was sent from Mr. Moore. The e-mail informed them that their attendance was not required at the Commissioner meetings, but that their report could be e-mailed to the Board no later than the Thursday before the next meeting. If they want to be on the agenda they should make a request to the Board of Commissioners by noon of the Wednesday prior to the meeting. This would be done in order to minimize the number of hours the Department Head would be away from their office, and to streamline the Commissioners' meetings. President Moore thanked all the Office Holders and Department Heads for their attendance, today, stating that their presence and input into the meeting is "...encouraged and invaluable...".

IN THE MATTER OF ORDINANCE NO. 2011-BCCO-01, E911 DISPATCH 2011 BUDGET:

E911 Coordinator Nick Capozzoli submitted Ordinance No. 2011-BCCO-01, E911 Dispatch 2011 Budget, for the Board's review and approval. Mr. Capozzoli reviewed the budget's line items from Funds 145 and 146 and reminded the Board that this year's budget is a little different as a result of consolidating the County Dispatch with the City of Kokomo. All salaries will be coming out of County General and that portion of the 2011 Budget will need to be submitted at and approved by the County Council. As stated by the Interlocal Agreement, 100% of the E911 fund will be committed to the Consolidated Communications. Mr. Capozzoli will not over budget the E911 Fund and feels that the \$590,000.00 amount is a fair estimation of what will be received. Any money over the budgeted amount will be applied to the E911 Funds. Fund 145 pays all operating costs and expenses, fund 146 pays for payroll related costs (FICA, PERF and Insurance) and Dispatch equipment. All salaries and overtime will be paid from County General. A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to approve Ordinance No. 2011-BCCO-01, the 2011 E911 Dispatch 2011 Budget. In response to a question asked by Mr. Wyman, Mr. Capozzoli replied that the Dispatch Center is operating well, with a minimum of four employees at all times. Sunday evening they handled a hectic SWAT situation, calling in an extra employee. Today, from 11:00 a.m. until 3:00 p.m. they handled dispatch calls from Miami County because their circuits were down.

IN THE MATTER OF BOARD APPOINTMENTS:

Personnel Director Wanda McKillip submitted the following appointments for action by the Board of Commissioners:

1. **Howard County Board of Zoning Appeals:** A letter was received from Mr. Mike Imbler confirming that he has resigned from the Liberty Township Board (*please refer to page three, item 2(n), "In The Matter Of Personnel Department Matters", of the Regular Commissioner Meeting minutes dated December 30, 2010*). A motion was made by Mr. Wyman to approve the appointments of Mr. Richard Byrun, Mike Imbler and Donald Winger to the Howard County Board of Zoning Appeals for a four year term expiring December 31, 2014. The motion was seconded by Mr. Thompson and carried.
2. **Howard County Drainage Board:** A motion was made by Mr. Wyman to appoint Mr. Paul Sandy to the Howard County Drainage Board. The motion was seconded by Mr. Thompson. At this time a Point of Order was called by Attorney Murrell, who referred to Option 3 concerning the reorganizing of the Drainage Board. Mr. Wyman amended his motion to include the reorganization Option 3: the Drainage Board will be made up of the three Commissioners; Tyler Moore, William Thompson and Paul Wyman; and appoint Mr. Paul Sandy as the 1st resident freeholder who shall serve a two year term commencing January 1, 2011. The additional resident freeholder, who will serve a one year term commencing January 1, 2011, will be appointed at a later date. The amended motion was seconded by Mr. Thompson. President Moore opened the floor for question and discussion. A question was asked as to why the Board was expanded to a five member in lieu of a three member board. Discussion ensued concerning adding expertise to the Board; the Board becoming a popularity contest; possible problems in added membership; the legality of the action, knowledge of drainage issues; statute allows a five member board; additional monies needed to add to the existing budget of paying three members. At the conclusion of discussion, the motion was unanimously adopted.
3. **Plan Commission Board:** A motion was made by Mr. Wyman to appoint Mr. Mike Imbler, Mr. James Miller and Mr. Bob McKean to the Plan Commission Board for four year terms to expire December 31, 2014. The motion was seconded by Mr. Thompson and carried.
4. **Region IV Work Force Board:** A motion was made by Mr. Wyman to appoint Mr. Matt Boor to the Region IV Work Force Board for a three year term that expires December 31, 2013. This replaces Ms. Beth Washington.
5. **Commissioner Appointments:** The following Commissioner Department appointments were addressed. Mr. Robert Ladd was previously appointed as the Veterans Service Officer.
 - a) County Attorney: Mr. Murrell is currently serving a two year appointment that expires December 31, 2011. A motion was made by Mr. Wyman to appoint Mr. Larry Murrell as the County Attorney for a two year term that expires December 31, 2012, per a written Employment Agreement. The motion was seconded by Mr. Thompson and carried.
 - b) Assistant County Attorney: A motion was made by Mr. Wyman to re-appoint Mr. Alan Wilson to the position of Assistant County Attorney per a written Employment Agreement. The motion was seconded by Mr. Thompson and carried.
 - c) Buildings and Grounds Superintendent: A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to appoint Mr. Scott Reed as the Buildings and Grounds Superintendent for a term of one year that expires December 31, 2011.
 - d) Highway Superintendent / Engineer: Mr. Ted Cain was appointed to the position of Highway Superintendent / Engineer for a one year term to expire on December 31, 2011, on a motion made by Mr. Wyman and seconded by Mr. Thompson.

Commissioner Wyman commended Mr. Cain for his quick action concerning a hazardous situation on a County road, over the weekend.

- e) Property Tax Assessment Board of Appeals: Assessor Jamie Shepherd will be ready to recommend PTABOA appointments at the January 18th Commissioner meeting.
6. **NOVIA Care Clinic:** There will be an Open House at the Taylor School clinic location on January 12, 2011, from 5:00 – 6:30 p.m. (*please refer to page six, item one, “In The Matter Of Personnel Department Issues” of the Regular Meeting minutes dated December 20, 2010*). There will also be an additional Open House at the Bell Street Location from 4:30 – 6:30 p.m. on January 12th. Memos will be sent to Department Heads.
7. **Thank You:** Mr. Moore thanked Mr. Reed and his department for their work on installing and uninstalling the lights around the Courthouse during the Christmas Season, and their presence during the New Year’s Eve ball drop. They were also thanked for coming in on New Year’s Day and assisting Clerk Kim Wilson with set-up for the swearing in ceremony.
8. **Ordinance No. 2010-BCCO-37:** The first reading of this Ordinance that amends the Employee Handbook was done at the December 30, 2010 Commissioner Meeting (*please refer to page one, item one, “In The Matter Of Personnel Department Issues” of the Regular Meeting Minutes dated December 30, 2010*). A motion was made by Mr. Wyman to table Ordinance No. 2010-BCCO-37 for further review and discussions of all portions of the proposed amendment. Mr. Moore vacated the chair to second the motion. Mr. Moore opened the floor for discussion, stating that his reason for tabling the Ordinance was for the purpose of clarifying the benefits of the amendment. Discussion ensued that included the following concerns: unclear as to how the amendment will benefit the employees; whether this discussion should take place in an open public forum or in an Executive Session; does it need to go back to the PAC for their recommendation. The amendments were listed as follows:
- a) **3.10.1 COMPENSATORY TIME** – Use of comp time must be earned in advance before submission on the weekly payroll.
 - b) **4.1.10 VACATION BENEFITS** – Hourly increments may be taken by mutual agreement between the elected official or department head and employee.
 - c) **4.1.14 VACATION BENEFITS** – Employees may only carry unused vacation time forward to the next calendar year with the approval of the elected official or department head and the Board of Commissioners.
 - d) **3.2 WORK HOURS** – The normal work day for full-time employees, except in designated departments shall be 8:00 a.m. to 4:00 p.m. which includes one hour of unpaid lunch in (5) consecutive days, Monday through Friday.

At the conclusion of discussion Mr. Moore called for the vote. The motion carried, tabling Ordinance No. 2010-BCCO-37 for further review. Mr. Moore stated that a memo to the employees would be sent when changes are made, and that the public would be notified of open discussion on this topic. Nothing has changed, at this point, so” business will carry on as usual”.

At this time the Regular Meeting was recessed on a motion made by Mr. Wyman and seconded by Mr. Thompson in order to proceed with a previously scheduled Public Hearing concerning Unsafe Property located at 1207 Moccasin Trail.

Plan Commission Director Greg Sheline informed the Board that this is the second and final Public Hearing for the property located 1207 Moccasin Trail. Certified mail was sent out concerning this Public Hearing but his office has not received any word from anyone having an interest in this property. President Moore opened the floor for comment. There being no comment offered in regards to the proposed demolition of the property located at 1207 Moccasin Trail, the President called for a motion and no “interested parties” appeared. A motion was made by Mr. Wyman to approve Resolution No. 2011-BCCR-01, granting final approval to the Enforcement Authority (Plan Commission Director) to demolish structures on the property owned by Lois J. Turner. The motion was seconded by Mr. Thompson and carried. Mr. Murrell confirmed that the next step in this process is to proceed in the demolition by seeking quotes and he will supply

Mr. Sheline with quote paperwork. A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to receive quotes for demolition by 3:00 p.m. on February 7, 2011 to be opened and read at the February 7, 2011 4:00 p.m. meeting.

*The Public Hearing was closed and the Regular meeting reconvened at 5:00 p.m.
on a motion made by Mr. Wyman and seconded by Mr. Moore,
who vacated the chair.*

IN THE MATTER OF REORGANIZING THE SMALL BUSINESS GRANT PROGRAM COMMITTEE:

Because of the results of last year's elections, there are several openings on the Small Business Grant Program's Committee that need to be filled. Mr. Moore suggested reorganization activity and possible discussion concerning procedural changes. A motion was made by Mr. Wyman to appoint himself to the Committee as the Board of Commissioners appointee and ask the Council to confirm their three appointments to the Committee at their next meeting. There is one application pending and Mr. Wyman suggested that the current committee address that application. As a part of the motion Mr. Wyman suggested that procedure be established as follows:

- 1) Any application received go straight to the Committee Chairperson.
- 2) The Grant Committee meets to address the application within ten days of receipt.
- 3) Committee gives their recommendation to the Board of Commissioners at their next meeting.

Both portions of the motion was seconded by Mr. Thompson and carried.

IN THE MATTER OF AGENDA ITEMS FOR THE DRAINAGE BOARD MEETING:

President Moore brought the subjects of the Kitty Run Project and the Darrough Chapel Project up for discussion by the Board of Commissioners. The first subject is a Public Hearing for the Darrough Chapel Project. There will be a Public Hearing for residents of Darrough Chapel on Thursday, January 13, 2011, at Word of Life Church on the corner of Goyer Road and Markland Road. Concerning the Kitty Run Regulated Drain Project, Mr. Murrell and Mr. Greg Lake confirmed that there is State money available for this project, to potentially meet their time frames. These issues will be discussed at tonight's meeting. The Press Release document has been prepared and will also be submitted at tonight's Drainage Board meeting.

IN THE MATTER OF RESOLUTION NO. 2011-BCCR-02, AMENDING THE CAPITAL IMPROVEMENT PLAN:

A motion was made by Mr. Wyman to approve Resolution No. 2011-BCCR-02, amending the Capital Improvement Plan to restore item #5, the Business Assistance for GKEDA and Small Business Development Center to \$83,500.00. Mr. Moore vacated the Chair to second the motion. The motion carried.

IN THE MATTER OF THE NEXT INSTALLMENT OF NEW BUSINESS INCENTIVE MONEY FOR ZUNA INFOTECH:

In 2009 Zuna InfoTech, as a new business, was granted Incentive monies to open a new business in Howard County. The first installment of \$5,000 was paid to Zuna in 2009, through the Greater Kokomo Economic Development Alliance. According to the agreement with the County, Zuna was given the responsibility to create eight new positions before receiving the next \$5,000 installment. Zuna has reached that requirement, reporting on nine full time employees. The timing of this 2nd requirement was late, but they do now meet the requirements. A motion was made by Mr. Wyman and seconded by Mr. Thompson to approve the next installment of \$5,000 to Zuna InfoTech, to be sent to the Greater Kokomo Economic Development Alliance for distribution. The motion carried.

One of the new businesses that had received grant money from the County in 2010, BNB Custom Collision Center, is no longer able to lease a building in the downtown area. They are returning the \$5,000 grant monies to Howard County. A motion was made by Mr. Wyman to receive the \$5,000 grant money returned to Howard County, and to receipt the money back into the EDIT Fund and apply this and any other returned grant money to the New Business Incentive line item. The motion was seconded by Mr. Thompson and carried. The Board of Commissioners thanked BNB Collision Center for their honesty in returning the grant money.

IN THE MATTER OF OPERATING CLAIMS:

Auditor Ann Wells submitted the Commissioners Salary, hourly and overtime claims payable January 7 and 14, 2011 in the amount of \$346,484.04 each. The Salary claims were approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.

IN THE MATTER OF THE COUNTY ATTORNEY'S THANK YOU:

On behalf of himself and Assistant County Attorney Alan Wilson, Attorney Larry Murrell expressed appreciation to the Board of Commissioners for reappointing Mr. Murrell and Mr. Wilson to their positions for the next two years. Mr. Murrell enjoys this job and feels privileged and blessed to have it. "Most mornings" he anticipates coming to work. He especially appreciates the people he's privileged to work with. Mr. Wilson echoed those sentiments.

IN THE MATTER OF COMMISSIONER ISSUES:

Commissioner Thompson:

Mr. Thompson reported that the Maintenance and Security Departments of the Courthouse did an outstanding job in 2010. The Security Department is anticipating some changes, with a new Sheriff at the helm.

Mr. Thompson believes this is the 75th anniversary of the County's Courthouse. The Board of Commissioners may want to look into the possibility of future recognition and celebration for the Courthouse.

Commissioner Wyman:

Mr. Wyman echoed the sentiments of Mr. Thompson concerning the Maintenance Department and the job they did in the past year, especially concerning special community events.

Mr. Wyman thanked Mr. Moore and Mr. Thompson for the kind welcome and the help they've given him the last thirty to sixty days, in anticipation of his joining the Board of Commissioners. He's looking forward to working with this entire group, and with all County employees. He takes this opportunity seriously and is committed to serving the taxpayers and working hard.

Commissioner Moore:

The Executive Board over the Plan Commission Department has been the Mayor of the City of Kokomo and a Board of Commissioner representative. The last two years the Board representative has been Mr. Moore, and he would like to continue to serve in that capacity if approved by the Board of Commissioners. A motion was made by Mr. Wyman to appoint Mr. Moore as the Commissioner's representative to the Executive Board. The motion was seconded by Mr. Thompson and carried. Mr. Moore abstained from the vote. He thanked Plan Commission Director Greg Sheline and his staff.

Mr. Moore thanked Mr. Thompson and Mr. Wyman for their confidence in him and stated that he would be relying on their expertise. He also thanked the Department Heads and Elected Officials for their service to Howard County. He thanked the County Employees for their continued service and dedication to their jobs. Mr. Moore, again, assured the Department Heads and Elected Officials that they are always welcomed to attend the meetings and are invited to be a part of the process.

Mr. Moore thanked Mr. Murrell and Mr. Wilson for accepting their appointments. He looks forward to this year.

IN THE MATTER OF ADDITIONAL PUBLIC COMMENT:

Mr. Moore opened the floor for additional Public Comment as follows:

Mr. Jerry Paul: It was brought to Mr. Paul's attention that last month the Board of Commissioners was approached by an individual concerning a request for a commitment letter from the Board of Commissioners committing to a Veteran Monument to be installed at the County Courthouse. Mr. Paul wanted to assure the Board that a monument at the

Courthouse is not necessary because the Howard County Veterans want a monument to be installed at Darrough Chapel Park. He does not want there to be a conflict.

Mr. Moore commented that there have been several requests for Veterans' Monuments both at the Courthouse and at the Administration Center. Concerning the latest request for a monument at the Courthouse, that person was directed by the Board of Commissioners to go back to the Mayor's office, concerning beautification matters. Veterans Service Officer Robert Ladd assured the Board that he would bring the issue up at the Mayor's Veteran Committee on behalf of the citizen who made the presentation to the Board of Commissioners (*please refer to page six, number 3), of "Public Comment", of the Regular Meeting minutes dated November 15, 2010*).

Mr. Paul is concerned that someone will put up a monument at the Courthouse that is very similar to the one to be installed at Darrough Chapel. He and his organization have already begun fundraising as well as being in the process of obtaining permission and permits from the Parks department.

There being no further business to come before the Board of Commissioners at this time, the meeting was adjourned at 5:26 p.m. on a motion made by Mr. Wyman and seconded by Mr. Thompson.

HOWARD COUNTY BOARD OF COMMISSIONERS:

TYLER O. MOORE, PRESIDENT

PAUL W. WYMAN, VICE PRESIDENT

WILLIAM THOMPSON, MEMBER

ATTEST:

ANN WELLS, AUDITOR

Howard County Commissioner Meeting January 4, 2011