

## **HOWARD COUNTY BOARD OF COMMISSIONERS MEETING DECEMBER 17, 2012**

The Howard County Board of Commissioners met in Regular Session on Monday, December 3, 2012, 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 Bill Thompson led in the Pledge of Allegiance and Commissioner Wyman offered a word of prayer.

A motion was made by Commissioner Thompson to observe a "moment of silence" on behalf of the victims and their families, of the tragedy at the Sandy Hook Elementary School in Newtown, Connecticut, last Friday, and also to pray for Peace on Earth. The motion was seconded by Mr. Wyman and carried. A moment of silence was offered.

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

The minutes of the December 3, 2012 Regular Meeting, having been previously submitted and reviewed, were approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.

\*\*President Moore did make the observation that neither the December 3<sup>rd</sup> nor the November 19<sup>th</sup> minutes included mention of the fantastic "win" by Notre Dame.

The minutes of the December 10, 2012 Executive Meeting were submitted. Present at that meeting were Commissioner Moore and Commissioner Wyman, Councilmen Dick Miller and Stan Ortman; Johns Speidel and Ryan Scott from Butler Fairman & Seufert; Auditor Ann Wells; and County Attorney Larry Murrell. The subject matter considered was that permitted under IC 5-14-1.5-6.1(b)(2)(D), and no other subject matter was discussed. The minutes of the December 10, 2012 Executive Meeting were approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.

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

#### **HIGHWAY DEPARTMENT:**

1) Highway Engineer / Superintendent Ted Cain informed the Commissioners that, of the three local vendors asked to quote for a 2013 ¾ Ton 4 X 4 Pick-Up Truck, he received a quote from Brad Howell Ford, only. The quote was in the amount of \$31,498.72 with a \$500 trade-in, making the total price \$30,998.72. The quote does meet with specifications and Mr. Cain gives it a favorable recommendation. A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to approve the purchase of a 2013 ¾ Ton 4 X 4 Pick Up Truck from Brad Howell Ford, in the amount of \$30,998.72.

2) At the December 3<sup>rd</sup> meeting the Board of Commissioners approved a motion to re-bid Item #5, Equipment Rental, of the 2013 Annual Highway Bids (*please refer to page one, item two, "In The Matter of Departmental Issues: Highway Department", of the Regular Meeting minutes dated December 3, 2012*). Mr. Cain will not be at the December 27<sup>th</sup> Commissioner meeting and asks that any bids received be taken under advisement for further review by Mr. Cain.

3) Since this is the last meeting of 2012 that Mr. Cain is attending, he took the opportunity to thank Commissioner Thompson for his four years of service to Howard County as a Commissioner. He wishes Mr. Thompson the best in the years to come.

#### **PLAN COMMISSION:**

1) Plan Commission Director Greg Sheline met previously with Attorney Larry Murrell and Grant Administrator Tina Henderson to amend the bidding schedule for the Flood Mitigation Properties' demolition. The Notice to Bid will be advertised January 8 and 15, 2013, with bids to be submitted no later than noon on February 4, 2013. The bids will then be opened at the February 4<sup>th</sup> Commissioner Meeting.

2) The Flood Mitigation Plan Update Letter of Commitment includes a local matching fund amount of \$11,000 (*please refer to page three, "In the Matter Of Flood Mitigation Financial Updates", of the Regular Meeting dated November 19, 2012*). Mr. Sheline asks for permission to pursue the Update with the \$11,000 match. A motion was made by Mr. Wyman to approve the Letter of Commitment to pursue the Flood Mitigation Plan Update, with a local match of \$11,000. A point of order was submitted by Attorney Murrell, that the match money

has not been budgeted. If we move forward with this project, the funds will need to be appropriated by the County Council. He asked that Mr. Sheline include, in the letter, "subject to Council appropriation of the Local Matching Grant". The motion was seconded by Mr. Thompson and carried.

3) Mr. Sheline has received notification from FEMA that a previous grant has not been closed and if certain information is not received from Howard County it could prohibit us from moving forward with the Flood Mitigation Plan Update project. Mr. Sheline assured the Board that former Plan Commission Director Glen Boise had sent the needed closing paperwork and that the remaining balance of funds from the project had been sent back to the State Homeland Security Office in 2009. Mr. Sheline and Mr. Murrell, when contacted in 2011, also sent back confirmation paperwork of the closed grant in November, 2011. The Plan Commission Office is re-submitting the requested information.

4) Mr. Moore and Mr. Sheline reminded the Board of Commissioners of the Special Session, tomorrow night at 7:00 p.m., with the Plan Commission Board. It will be a combined meeting for a presentation of the New US 31 Overlay Districts' Plan. This meeting was previously advertised in the appropriate media.

#### **VETERANS SERVICE OFFICE:**

1) Newly appointed Veteran Service Officer Ross Waltemath submitted a legislative clarification to the Commissioners concerning the property excise tax abatement rule. The State Attorney General's office is enforcing the Property Excise Tax Abatement Rule that states if you do not own the property or the home, you **cannot** use the Excise Tax Abatement reduction. Previously the veteran was allowed to use the abatement on their vehicle, even if they did not own the home, were renting, or living in a short term facility. It will no longer be allowed because that is not how the law was written back in 1940. The State Legislature will be addressing that issue in 2013, trying to get the rule changed. Mr. Waltemath will keep the Commissioners informed on the progress of that legislation.

2) Beginning in January, 2013, the Veterans Service Office will remain open on Tuesday and Thursday afternoons. The Office will not be setting appointments during those hours, in order to complete paperwork in a timely manner, but they will remain open for walk-in traffic.

#### **PERSONNEL DEPARTMENT:**

Personnel Director Wanda McKillip expressed appreciation to Commissioner Thompson for his service to Howard County the last four years. He will be missed (she also commented how nice he looks in his suit).

#### **E911 DISPATCH:**

Combined Dispatch Coordinator Nick Capozzoli updated the Board of Commissioners on overtime expenses in 2012. In November, 2011, the Dispatch Center reported \$111,224.00 spent on employee overtime. In 2012 \$55,694.00 has been spent in overtime. The decrease in overtime for 2012 is because of the three full time and part time positions added for 2012. The morale of the office has also improved. Mr. Capozzoli commented on how nice Mr. Wyman looked in Mr. Murrell's suit coat. President Moore expressed appreciation to Mr. Capozzoli and his staff for all their hard work.

#### **IN THE MATTER OF THE REQUEST TO ABANDON THE RIGHT-OF-WAY:**

Attorney Conrad Maugans amended his previous Order of Abandonment of Highway Right Of Way on behalf of William and Nancy Meehan. The amendment corrects references as well as the legal description. Mr. Maugans commended Ms. Laura Johnson, of the Property Records portion of the Auditor's Office for finding the mistake and taking the steps necessary to correct the error. The real estate described has never been developed into an improved roadway or highway and is part of a flood plain. There are no plans to develop the highway now, or in the future, and the said right-of-way for highway purposes has been abandoned. The county would benefit by restoring the real estate back to the Meehans. At the conclusion of the request a motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to approve the amended Order of Abandonment of Highway Right-Of-Way on behalf of William and Mary Meehan.

#### **IN THE MATTER OF DARROUGH CHAPEL ISSUES:**

1) Darrough Chapel Project Grant Administrator Tina Henderson submitted a Claim for Darrough Chapel, in the amount of \$158,205.64, to be paid from the grant. She also submitted an invoice from Mendenhall and Associates, in the amount of \$5,000, to be paid from matching funds. A motion was made by Mr. Wyman to approve the invoice from Keith Sullivan

Excavating Inc, in the amount of \$158,205.64, and authorize the President to sign the claim form on behalf of the Board of Commissioners. The motion was seconded by Mr. Thompson and carried. Ms. Henderson also submitted a budget update for the Board's information.

2) Ms. Henderson presented an award from the Office of the Lieutenant Governor, Rebecca Skillman, Office of Community and Rural Affairs, to the Board of Commissioners for the work done on the Darrough Chapel Project. This is the longest running project that Ms. Henderson has worked on, and she understands that the concept of help for Darrough Chapel started many years ago. Former Commissioner Paul Raver was a strong advocate for the project and MS4 Coordinator Greg Lake has also been instrumental in this project. She also thanked Commissioner Moore and Commissioner Wyman, along with Attorney Larry Murrell. The Board of Commissioners received the award amidst applause from all present.

#### **IN THE MATTER OF A NEW BUSINESS INCENTIVE GRANT:**

Committee Member Mr. Wyman submitted a request for a New Business Incentive Grant for Custom Diaper Creations, Inc., to be located east of Engle's Jewelers. She will offer baby shower and baby gifts with unique diapering options. The total amount of the grant may be \$3,600, depending on final negotiations, to help pay a \$300 monthly rental fee. If a lower rent is negotiated the amount of the grant will reflect the changes. The Grant Committee gives a favorable recommendation. The Small Business Grant for Custom Diaper Creations, in the amount of \$3,600 was approved on a motion made by Mr. Wyman and seconded by Mr. Thompson. This marks the seventeenth (17<sup>th</sup>) small business to be granted assistance in the downtown Kokomo area.

#### **IN THE MATTER OF A REQUEST TO CLOSE OFFICE:**

Auditor-elect Martha Lake asked permission of the Commissioners to allow the Auditor and Treasurer Offices to delay opening their offices on Wednesday, January 2, 2012, no later than 9:00 a.m., in order to hold a meeting with employees due to the change in office holders. The Commissioners agreed by consensus.

#### **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 December 21 and 28, 2012 and January 4, 2012, in the amount of \$351,341.90 each, were 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 \$804,383.66, were submitted, and approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.
3. **Monthly Reports:** The Treasurer's Monthly Report ending November 30, 2012, and the EMA December Calendar and November/December Activity Listing, were accepted as submitted on a motion made by Mr. Wyman and seconded by Mr. Thompson.

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

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

1. **Wilson Invoices:** Mr. Murrell submitted invoices from Attorney Alan Wilson. The first invoice is the final statement for the J Jones V Howard Co Clerk Case, and is to be paid from the Insurance Deductible Line item. The second invoice, in the amount of \$5,120.50, is a collection of several cases to be paid from the Insurance Deductible line item and the Contract Service Line item. A motion was made by Mr. Wyman to approve the Alan Wilson invoices for payment, as submitted by Mr. Murrell. The motion was seconded by Mr. Thompson and carried.
2. **Russiaville Agreement:** At the November 5<sup>th</sup> meeting the Board of Commissioners had selected Option 4 (Extend balloon payment until 2019), concerning the Russiaville loan with a balance of \$76,334, upon request of the Indiana Finance Authority (*please refer to pages five and six, item six, "In The Matter of*

*County Attorney Issues” of the Regular Meeting minutes dated November 5, 2012).* Mr. Murrell now submits a Confirmation of an Agreement to Subordinate Bonds. This is an alternative to forgiving the debt. A motion was made by Mr. Wyman to approve the Confirmation Of and Agreement to Subordinate Bonds, as it refers to the Russiaville Loan, and authorize the President to Sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Thompson and carried.

3. **“Reflections On Terri’s Husband”:** Attorney Murrell offered this “Reflections” on behalf of Commissioner Bill Thompson, in the event of his last Commissioner meeting of his four-year term:

“County service was inevitable for this distinguished man,  
Having been born into the “Daily” clan.  
He was sworn in as Commissioner in twenty aught nine,  
A well regarded union boss at that time.

But unlike many counterparts he was thoughtful and kind,  
The nicest guy you could ever find.  
He had served his country in the Air Force blue  
A genuine American Patriot, through and through.

A photogenic kind of man with good common sense  
He has often been mistaken for Governor-elect Pence.  
A student of local government he frequently enjoyed  
Reading scholarly articles written by John Floyd.

He remained a vocal critic of local media sleaze  
And anything manufactured by the Red Chinese.  
Perhaps Bill’s shining moment, as far as I can see,  
Was creating and organizing the CCC.

He did have certain failings which inflicted personal trauma,  
Like his fanatical support of President Obama.  
We will miss his presence in, oh, so many ways,  
No longer will he be here to count the remaining days.

But, alas, Commissioner Thompson, this is not the end  
For you shall always be a very special friend.”

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

#### **COMMISSIONER WYMAN:**

- 1) Mr. Wyman was the Hearing Officer for three Township Assistance Hearings as follows:

Mr. John Townsend	Harrison Township	Trustee Joyce Ancil
Jacqueline Valentino	Center Township	Mona Coburn and Connie Longshore
Ms. Margaret Carey	Howard Township	Trustee Jocena Schafer with Replacement Connie Longshore

In the hearing for Mr. Johns Townsend, Mr. Wyman’s recommendation was to uphold the denial of the Township trustee. A motion was made by Mr. Thompson to uphold the denial of the Township trustee. Mr. Moore vacated the chair to second the motion and the motion was carried.

In the hearing of Ms. Margaret Carey, Mr. Wyman gave the recommendation to uphold the Township trustee’s denial. A motion was made by Mr. Thompson, seconded by Mr. Moore (who vacated the chair to second the motion) and carried to uphold the Township trustee’s denial.

Concerning the hearing for Ms. Valentino, Mr. Wyman would like to take the decision under advisement for further review because of additional information being submitted to the Trustee’s office that may have a bearing on the ability to obtain assistance. Mr. Wyman will make a recommendation at the December 27<sup>th</sup> meeting. The

Hearing decision was taken under advisement for further review by Mr. Wyman, on a motion made by Mr. Thompson and seconded by Mr. Moore (who vacated the chair to second the motion).

2) Mr. Wyman commended Personnel Director Wanda McKillip and her crew for the work done on the Employee Holiday Luncheon. Mr. Wyman thought it was “fabulous” and has received several positive comments.

3) Mr. Wyman gave to Mr. Thompson a departing gift in the form of comic, John Branyan. Mr. Branyan gave a presentation with Mr. Thompson in mind, and regaled all in attendance, especially Commissioner Thompson. The subject matter included a classic children’s fairy tale, somewhat altered, and the book of the same was presented to Mr. Thompson in appreciation of his years of service as a County Commissioner.

**COMMISSIONER MOORE:**

1) Mr. Moore submitted an IDEM Notice of Decision, issuing a Hazardous Waste Post-Closure Permit Renewal for Haynes International, Inc. The Notice was received on a motion made by Mr. Wyman and seconded by Mr. Thompson.

2) The Board of Commissioners received an invitation from Superior Court I Re-Entry Court Team, to the graduation ceremony of Jerry Biehle, Jr. and Shane Lawrence, today at 12:00 Noon, at the Government Center, Room 101.

3) Mr. Moore informed the Board of an invitation to attend an annual pipeline safety program. This is “...part of an on-going national effort to increase knowledge in response to pipeline emergencies”.

4) Mr. Moore thanked Wanda and all involved with the Employee Holiday party. It was a great party.

**COMMISSIONER THOMPSON:**

Mr. Thompson read the following statement:

“Thanks for the dance.”

“Today may be the last opportunity I have, as an elected Government Official, to respond to any article printed by a certain local media outlet.

On several occasions, the Kokomo Perspective has printed articles in their paper that were not accurate; in turn, I would present the facts and have them recorded in the official government minutes of the Board of Commissioners. After today, they may continue to print articles (accurate or not) even though I will no longer respond to the articles as a Commissioner.

In addition, for the last couple of years or so, my name has been on their Christmas wish list. They would offer symbolic wishes and in turn, I would present tangible gifts; it was a little dance that both of us seemed to enjoy very much. As for *my* Christmas wish this year to them I say, “***Merry Christmas, Kokomo Perspective, Merry Christmas.***”

Commissioner,  
Bill Thompson”

***At this time Commissioner Thompson was honored for his four (4) years of service to Howard County as a County Commissioner.***

President Moore began by thanking Mr. Thompson, saying, “...I appreciate your insight, your guidance, your input, everything that you offered to this board, also to me, to help mold me into the public servant I’ve become, good or bad”. Mr. Moore also expressed appreciation for Mr. Thompson’s respect of the County Employee. Mr. Moore mentioned the times the Mr. Thompson “went to bat” for the County employees and their needs.

Mr. Thompson thanked Mr. Moore for his comments, and informed all in attendance that it was Commissioner Paul Raver who inspired him; he also mention his love of working with former Commissioner Dave Trine, and working with Commissioner Moore and Commissioner Wyman.

Mr. Moore presented Mr. Thompson with a cobalt blue Opalescent Glass award, with the following sentiment:

***“Bill Thompson, presented December 17, 2012  
For your dedicated service as a member of the Howard County Board of Commissioners  
January 1, 2009 to December 31, 2012.”***

Melissa Trine, wife of former Commissioner Dave Trine, read a prepared statement on behalf of Commissioner Trine. At its conclusion, Commissioner Thompson read the following comment:

“Farewell, Howard County

In the last four years, I have been very blessed, to have served the people of Howard County as a Commissioner. In my lifetime, I have been able to travel a little and do a lot, and believe it or not, I would include by time as Commissioner in the top ten list of adventures I am glad I have experienced...so far.

To all County employees, I say thank you for your hard work and dedication. My only regret in this job these last four years, is being unable to convince others, that you have earned, and much deserve, an increase in your wages. To each of you that I have worked closely with, you have helped me be a better Commissioner, and a better person; from the bottom of my heart I say thank you (I hope you know who you are). To quote the great Indiana labor leader Eugene Debs, “When I rise, it will be with the ranks not from the ranks”. Being a Howard County employee (if only for a short time) has lifted me.

To the folks of Howard County I say, thank you, for your vote four years ago, and since then, for letting me know how you feel on any given issue; I hope I have represented you well. Deciding very early on not to seek re-election, enabled me to be an independent, beholden only to the taxpayer; not to any special interest group, media outlet, self-serving elected official, or organized party. As you may know, I am a Democrat, but, I believe that the people are best represented by a healthy two-party system. When one party in the County is not strong, the other party will rule unchecked, and I hope my party will work smarter to more balance the scale; I believe it will make for a better community.

Most of all, I want to thank my wonderful wife for her sage advice, making me laugh, her unique outlook on county government (including politicians), and putting up with me these last four years.

No goodbyes, just good memories. May God bless Howard County and her employees, and may God bless the United States of America.”

***There being no further business to come before the Board Of Commissioners at this time,  
the meeting was adjourned at 9:50 a.m. on a motion made  
By Mr. Thompson. Mr. Wyman amended the motion to include applause  
for Commissioner Thompson. The motion carried.***

**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 Commissioner Meeting December 17, 2012