

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING APRIL 16, 2012

The Howard County Board of Commissioners met in Regular Session on Monday, April 16, 2012, at 8:30 a.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 Captain Jerry Asher and conducted by President Moore. Commissioner Thompson led all in the Pledge of Allegiance, and Commissioner Wyman offered a word of prayer.

IN THE MATTER OF APPROVAL OF MINUTES:

The minutes of the April 2, 2012, Regular meeting, having been previously submitted and reviewed, were approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.

IN THE MATTER OF PUBLIC COMMENT:

Commissioner Moore opened the floor for Public Comment as follows:

Commissioner Paul Wyman reported on the Commissioners' Certificate Sale, that there was a packed house for the live auction. After the live auction, there were several days of an on-line auction. Mr. Wyman reported the following statistics:

Live Auction	171 properties sold	\$269,772.00 brought in
On-Line Auction	102 properties sold	<u>\$ 77,721.00 brought in</u>
	TOTAL:	\$347,493.00

Concerning excess COIT funds received from the State of Indiana, it was Mr. Wyman's suggestion to meet with other County Officials concerning the possibility of isolating the funds until such a time that the State of Indiana has completed their audit, and have determined any amounts owed to them by Howard County. Their recommendation would be forwarded to the County Council. At the conclusion of discussion, the Board agreed by consensus.

IN THE MATTER OF DEPARTMENTAL REPORTS:

HIGHWAY DEPARTMENT:

Highway Engineer / Superintendent Ted Cain submitted the Annual Operating Report for Local Road and Street, for the Board's information, review, and signature. The figures in this report do match with the Auditor's Office. The Annual Operating Report was approved for signature on a motion made by Mr. Wyman and seconded by Mr. Thompson.

The Highway Department closed Albright Road, between County Roads 200 and 300 South, today, for bridge work (deck and beams). He hopes to have the road open in three weeks. The next bridge project will be on County Road 200 East (one of two projects).

PLAN COMMISSION:

Plan Commission Director Greg Sheline submitted for the second time, Ordinance No. 2012-BCCO-8, a request to rezone property located at 4280 West County Road 250 South, from RR (Rural Residential) to I1 (Low Intensity Industrial) (*please refer to page two, "In The Matter of Departmental Reports, Plan Commission", of the Regular Meeting minutes dated April 2, 2012*). Commissioner Wyman commented that he visited the site and talked to owner Mr. Rice, as well as several neighbors. Concerns were raised as to the noise that the wood chipping would make during the day, and the additional traffic due to big trucks. Because the area is heavily residential, Mr. Wyman feels this would be a "spot zoning" situation.

Mr. Marc Rice, owner of the property in question, commented that he wants to be a good neighbor and would be happy to comply with any restrictions, even going so far as to chipping wood in the barn.

Director Greg Sheline offered to help Mr. Rice locate property that would be appropriate for a wood chipping business. At the conclusion of discussion, a motion was made by Mr. Wyman to uphold the unfavorable

recommendation of the Plan Commission and reject Ordinance No. 2012-BCCO-8. The motion was seconded by Mr. Thompson and carried.

Mr. Sheline thanked Commissioner Moore and Commissioner Wyman for attending the U.S. 31 Corridors discussion last week.

MAINTENANCE:

Buildings and Grounds Superintendent Scott Reed submitted a request to purchase skids of HVAC system refrigerant, in the amount of \$11,070. This refrigerant will be used for AC in all but one of the county owned buildings. The price has doubled since the last purchase four years ago (40 thirty pound cylinders) and Mr. Reed has contacted several vendors for quotes. The best quote came from Praxair and he has the funds needed to make the purchase. A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to approve the purchase of forty thirty-pound cylinders of refrigerant in the amount of \$11,070.

KINSEY YOUTH CENTER:

KYC Director Brent Kelley submitted an RFP document and transmittal letter, for the continuation of Shelter Care. The RFP outlines mandatory and non-mandatory clauses that have to be guaranteed by Mr. Kelley. Mr. Kelley requests that Commissioner Moore be authorized to sign the transmittal letter. A motion was made by Mr. Wyman to approve the RFP for Shelter Care, and authorize President Moore to sign the transmittal letter on behalf of the Board of Commissioners. The motion was seconded by Mr. Thompson and carried.

Mr. Kelley submitted three quotes for a household style dishwasher to replace the dishwasher in Shelter Care, and asks that it be purchased from the Cum Cap Fund. Mr. Kelley recommends the purchase from Martin Brothers, in the amount of \$259.00. A motion was made by Mr. Wyman to approve the purchase of a household style dishwasher from Martin Brothers TV & Appliances, Inc, in the amount of \$259.00, to be paid from the Cumulative Capital Fund (150-04000). The motion was seconded by Mr. Thompson and carried.

The current fire alarm system is twenty (20) years old and uses program cards. Those cards are going bad and setting off false alarms inside the fire alarm room. Also, the system's software needs to be updated. Simplex Grinnell has proprietary rights to the system and will replace the cards and update the software for \$6,855.80. Koorsen Fire & Security would have to replace the whole system, including labor, for \$9,488.00. Both Mr. Kelley and Buildings and Grounds Superintendent Scott Reed recommend the service of Simplex Grinnell. This purchase will need to be made from the Cumulative Capital Fund. A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to approve the updated software and replacement of program cards to the Fire Alarm System at Kinsey Youth Center, through Simplex Grinnell, in the amount of \$6,855.80, to be paid from the Cumulative Capital Fund (150-04000).

PERSONNEL DEPARTMENT:

Personnel Director Wanda McKillip submitted a memo to distribute to employees, concerning meetings with State of Indiana Deferred Compensation Plan representative George Foster. The meetings will be Wednesday and Thursday, April 25 and 26, 2012, at various locations. A motion was made by Mr. Wyman to approve the Employee Memo and its distribution. Mr. Thompson asked that the word "voluntary" be added to the memo and Ms. McKillip confirmed the word would be added to the memo before distribution. Mr. Thompson seconded the motion and it was carried.

Ms. McKillip reported on School tours of the Courthouse and Administration Center, during this National County Government Month, and that they were successful. This week Northwestern will be touring the Administration Center; this will be the final tour for County Government Month.

RepuCare / Employee meetings, last week, went well. 61% of our insured employees (and 51% of their dependents) use the Employee Clinic. N.O.V.I.A.'s last day of service is April 24, 2012. RepuCare's first day of service is Monday, April 30. Wellness meetings for employees will be in the future. Ms. McKillip thanked the Board of Commissioners for allowing the employee clinic.

Last week Ms. McKillip met with Mr. Kent Irwin from Waggoner, Irwin and Scheele, INC, concerning consultation services for the Employee Handbook. The Board can expect changes and legislative revisions in July of this year

HEALTH DEPARTMENT:

Health Department Director Kent Weaver submitted Ordinance No. 2012-BCCO-11, Howard County Health Department Fee Collection ordinance (*please refer to page four, item two, "In The Matter of Departmental Reports, Health Department", of the Regular Meeting minutes dated March 19, 2012*). This Ordinance reflects several changes / additions to the Fee Schedule (Schedule A) including Section III-D, repeat pool inspections; Section III-H, Unfit Dwelling Occupancy Permit; and Section III-I, collection of vaccination fees. Howard County Health Department Fee Ordinance No. 2012-BCCO-11 was approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.

Mr. Weaver informed the Board the Department's 1998 truck (150,000 miles) is inoperable with several repair needs. He requests permission to purchase a Truck from the Cumulative Capital Vehicle Fund, and would like to submit Invitations to Quote to five local vendors; Brad Howell Ford, Kokomo Auto World, Erik's Chevrolet, McGonigal's, and Button Dodge. The Quotes would be returned no later than May 7, 2012. A motion was made by Mr. Wyman to approve the purchase of a vehicle from the Cumulative Capital Fund, Vehicle line item, authorize Mr. Weaver to seek quotes as submitted, and authorize the President to sign the Invitations to Quote on behalf of the Board of Commissioners. The motion was seconded by Mr. Thompson and carried.

SHERIFF DEPARTMENT:

Captain Jerry Asher informed the Board of Commissioners that the bid process and purchase of five of the nine vehicles approved for purchase, have been completed and he is ready to distribute Invitations to Quote for the remaining four civil process vehicles (*please refer to page three, item two, "In The Matter Of Sheriff Department Issues" of the Regular Meeting minutes dated January 17, 2012*). A motion was made by Mr. Wyman to approve the Invitations to Quote for the two pick-ups and two SUV's for the Sheriff's Department, to be received no later than 3:00 p.m. on May 7, 2012. The motion was seconded by Mr. Thompson and carried.

Sheriff Rogers reported that last Friday the air conditioning in the Mechanical Room (visitation phones, server and computers for the radio system) at the Criminal Justice Center ceased to work. Thanks to the quick action of the Maintenance and IT Departments, a portable unit was brought in and a catastrophe was averted. A new roof unit will be installed today, weather permitting, tomorrow at the latest.

IN THE MATTER OF A COMMISSIONER APPOINTMENT:

A motion was made by Mr. Wyman to appoint Commissioner Thompson to the Greater Wabash River Resource Conservation and Development Council. The motion was seconded by Mr. Thompson and carried.

IN THE MATTER OF A 2012 EMPLOYEE BONUS DISCUSSION:

Commissioner Wyman reminded the Board that at the 2011 Budget Session, while discussing the possibility of an Employee increase for 2012, there was a consensus to track expenses to the end of 2011 and into the first quarter of 2012, to determine if an increase or bonus would be feasible. He shared the following figures with the Board:

- a. The County spent \$700,000 under its budget, due in part to the efforts of the County Employees.
- b. County General had an ending balance of \$6 million.
- c. 1st quarter of 2012 figures show spending under budget and County General ending balance of \$10 million.
- d. The County is debt free.

Mr. Wyman believes the County is in a position to offer a \$625 bonus to all full-time employees (454) and a \$200 to part-time employees (146). That is a total of \$312,950, and the bonus would be effective the first pay period in July, 2012. This request would require an Additional Appropriation to be presented at the May Council meeting, state approval in June and payable in July. *Mr. Wyman made a motion to approve an employee bonus of \$625 to all full-time employees and \$200 to all part-time employees, exempting the Board of Commissioners.* Commissioner Thompson took this opportunity to comment about funds given by the County to the City of Kokomo for projects; funds given by the County to Economic Development organizations; the inability of the most recent raise in 2008 to cover the increase in insurance rates. He would like to see the Board of Commissioners forward a recommendation to the County Council, of an immediate bonus, as well as a 5% raise to be effective October 1, 2012. Discussion continued with President Moore commenting that a raise would need to be considered at budget time, for 2013, and that the Board of Commissioners can help in spending their budget wisely as we experience a decrease in revenue. Commissioner Wyman would not support a 5% increase, *but he did amend*

his motion to include analyzing the financial situation at budget time, to determine if the county could support a raise for the employees in 2013. Mr. Moore vacated the chair to second the motion on the table. The motion carried on two votes.

Mr. Thompson made a motion to recommend to the County Council a 5% raise for all County employees, effective January 1, 2013. The motion died for a lack of a second.

IN THE MATTER OF CLAIMS AND REPORTS:

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

1. **Salary Claims:** Salary, hourly and overtime claims payable April 20, 27, and May 4, 2012, in the amount of \$346,081.33 each, were approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.
2. **Operating Claims:** County Operating Claims payable today, in the amount of \$406,884.22, were approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.
3. **Clerk's Report:** The Clerk's Monthly Report for the month ending March 31, 2012, was submitted and accepted 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 Commissioner's information and approval:

1. **Office Allowance:** On behalf of Assistant County Attorney Alan Wilson, Mr. Murrell submitted an invoice for the first half of the calendar year's office allowance, in the amount of \$1,000. The invoice was approved for payment on a motion made by Mr. Wyman and seconded by Mr. Thompson.
2. **Litigation Invoice:** Mr. Murrell submitted an invoice from Mr. Alan D. Wilson for services rendered in several litigation cases. The total of invoices is \$4,501.59: six to be paid from Contract Services and one to be paid from Insurance Deductible. A motion was made by Mr. Wyman to approve the total invoice amount of \$4,501.59 for Mr. Alan D. Wilson. The motion was seconded by Mr. Thompson and carried.
3. **Resolution No. 2012-BCCR-06:** Mr. Murrell submitted Resolution No. 2012-BCCR-06, the amendment of the Capital Improvement Plan for 2012-2013. *A motion was made by Mr. Wyman to approve the amendments to the Capital Improvement Plan (Resolution No. 2012-BCCR-06). Mr. Moore vacated the chair in order to second the motion.* At this time Mr. Wyman explained that the current plan lists the Nickel Plate Trail (joint project with Kokomo) as an approved line item with \$145,000 budgeted in 2012 and \$145,000 budgeted in 2013. In order for the City of Kokomo to receive a grant for this project, Howard County has to show their budget commitment in the current year (\$290,000 in 2012), in lieu of \$145,000 in 2012 and \$145,000 in 2013. *The motion carried with two aye votes.*
4. **Resolution No. 2012-BCCR-7:** This resolution authorizes the transfer of tax sale parcels to the City of Kokomo. A similar City resolution will transfer the deeds to Family Services Association, 322 E. Jackson Street (for veterans' housing) and the Kokomo Rescue Mission; 905 N. Main St. and North Buckeye St, for Open Arms ministry. A motion was made by Mr. Wyman to approve Resolution No. 2012-BCCR-7, a resolution of the Howard County Board of commissioners authorizing transfer of tax sale parcels to the City of Kokomo pursuant to IC 36-1-11-8. The motion was seconded by Mr. Thompson and carried.

Mr. Murrell took this opportunity to add his confirmation to Mr. Wyman's previous comments concerning the success of the Certificate Sale. This is the first Commissioners' Certificate Sale since 2000, and the first ever Internet Certificate Sale. This type of tax sale is very convoluted and detailed. He commended Auditor Office employees Peggy Mallaber and Rhonda Burket for the excellent job they do.

In response to a question asked by Commissioner Moore, Mr. Murrell commented that concerning the tax sale properties that were pulled from the sale, on a request from the City of Kokomo, he is waiting for further direction from the City executives.

IN THE MATTER OF COMMISSIONER ISSUES:

COMMISSIONER MOORE:

Mr. Moore submitted a U.S. Environmental Protection Agency Cooperative Agreement, and Interagency Agreements paperwork that he signed, on April 12, 2012, and asked that his signature be ratified. A motion was made by Mr. Wyman to ratify President Moore's signature on the U.S. Environmental Protection Agency Federal Grants Agreement. The motion was seconded by Mr. Thompson and carried.

The Board of Commissioners received notification from Martin Marietta of the Public Hearing by Howard County Board of Zoning Appeals Case 3-CS-12, a petition of John Sosnowski for a Special Exception to expand mining operations in an Agricultural zone. The Appeal will be held on Tuesday, April 24, at 7:00 p.m. in Hearing Room 101 in the Howard County Government Center. Howard County is an adjoining property owner to the subject parcel of this special exception request. The notification was received on a motion made by Mr. Wyman and seconded by Mr. Thompson.

Mr. Moore submitted the March and April, 2012 EMA Calendar and listing of events, and it was accepted on a motion made by Mr. Wyman and seconded by Mr. Thompson.

Mr. Moore attended a Sci Fi event in Chicago and returned with special Super Hero Buttons he distributed as follows:

Wonder Woman	Auditor Ann Wells
Captain America	Commissioner Thompson
The Flash	Commissioner Wyman
Superman	Attorney Larry Murrell
Batman	Commissioner Moore

There being no further business to come before the Commissioners at this time, the meeting was adjourned at 10:09 a.m. on a motion made by Mr. Wyman and seconded by Mr. Thompson.

The meeting was reconvened at 10:10 a.m. in order to hear a Township Assistance Hearing. Commissioner Moore was the Hearing Officer for a Township Hearing for Jeremy L. Beard, Center Twp. Mr. Moore recommended upholding the Denial of the Township Trustee. A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to uphold the Denial of the Center Township Trustee in the Township Hearing of Mr. Jeremy L. Beard, Center Township.

***There being no further business to come before the Board of Commissioners
at this time the meeting was adjourned at 10:10 a.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 Meeting April 16, 2012