

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING AUGUST 20, 2012

The Howard County Board of Commissioners met in Regular Session on Monday, August 20, 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 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 6, 2012, Regular meeting were submitted and reviewed. Commissioner Moore requested the minutes be amended on page one, item three, "In The Matter Of Departmental Reports". In lieu of "...Staff and Board, visited Benton County to tour the wind farm there..." Mr. Moore informed the Board that the tour had not yet taken place (Thursday, August 9). He would like the minutes to be amended to read, "...Staff and Board **shall visit** Benton County to tour the wind farm there...". A motion was made by Mr. Wyman to approve the August 6, 2012, Regular Meeting minutes as amended. The motion was seconded by Mr. Thompson and carried.

The August 10, 2012, Administrative Meeting minutes were submitted and reviewed. Commissioners Tyler Moore and Paul Wyman received information and recommendations from County Assessor Jamie Shepherd regarding County financial and budget information. The minutes were approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.

The August 13, 2012, Administrative Meeting minutes were submitted and reviewed. Commissioners Tyler Moore, Paul Wyman, and Bill Thompson received information and recommendations from County Attorney Larry Murrell and County Assessor Jamie Shepherd regarding status of InterLocal cooperative agreements and financial and budget information. The minutes were approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.

IN THE MATTER OF DEPARTMENTAL REPORTS:

STORMWATER MS4

Stormwater Coordinator Greg Lake submitted a Utility Reimbursement Agreement between Howard County Board of Commissioners and Duke Energy Indiana, Inc., to hold and reduce the number of poles needed for the Darrough Chapel area, as a result of the Darrough Chapel Project. Mr. Murrell has reviewed the document and Duke Energy has agreed to his changes. Mr. Lake informed the Commissioners that in the first branch of the sewer that has been staked, there were four poles in question for removal. Mr. Lake was able to move the sewer line so the poles did not have to be removed. Mr. Lake plans to continue that process as they move through the project. A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to approve the Utility Reimbursement Agreement with Duke Energy Indiana, Inc.

SHERIFF DEPARTMENT:

On behalf of Sheriff Rogers, Mr. Scott Carnegie from DLZ submitted a bid tabulation for the Jail Renovation and Technology Upgrade Project. The bids were opened and received at the August 6th meeting as follows:

<u>Bidder</u>	<u>Base Bid</u>	<u>Alt 1</u>	<u>Alt 2</u>	<u>Alt 3</u>
Terstep Co. Inc	\$647,000	N/A	add \$3,500	add \$6,500
MacDougall Pierce Const Inc	\$708,000	add \$7,920	add \$18,900	N/A
Mattcon General Contract Inc	\$774,000	N/A	add \$15,000	add \$8,000

DLZ recommends awarding the bid to Terstep Co., Inc, including Alternate two and three for a total amount of \$657,000.00. The total budget for this project is \$660,000. A motion was made by Mr. Wyman to approve the contract with Terstep Company, Inc, in a total amount of \$657,000, authorize the President to sign the contract agreement and any related documents, on behalf of the Board of Commissioners, and approve the Notice to Proceed, subject to the review of Attorney Murrell and Sheriff Rogers.

Mr. Carnegie informed the Board of the Design Release Application Form and its \$150.00 fee. That invoice has been submitted to the Auditor's Office for payment and a check has been processed, payable and included on

today's Operating Claims Docket. Mr. Murrell commended DLZ and commented that the "process" proceeded very well.

COUNTY ASSESSOR:

1) County Assessor Jamie Shepherd reminded the Board of Commissioners that on May 21, 2012, the Board authorized a Notice of Bids for Professional Appraiser Services for the Model Contracts for (1) Annual Adjustments (Trending, 2013 through and including 2017); (2) 2017 Reassessment; (3) Contract for Assessment Services (Maintenance 2013 through and including 2017). The contracts were bid in combination with all three to be performed by the same contractor, subject to the approval of the Department of Local Government Finance. Bids were received from Ad Valorem Solutions and Tyler Technologies and were taken under advisement for further review (*please refer to page three, "In The Matter Of Departmental Reports, County Assessor" of the Regular Meeting minutes dated June 18, 2012*). During the review process Ms. Shepherd received clarification by the DLGF concerning new cyclical reassessment legislation recently passed, and that there was no time frame to award contracts. Ms. Shepherd was later informed that the state would not approve any contracts for reassessment this year. Consequently, she is asking the Board of Commissioners to reject both bids, and allow her to re-bid the two non-reassessment contracts, for one year. In 2014 Ms. Shepherd plans to bid all three contracts for 2014 – 2017. Mr. Murrell has prepared a resolution for the Board that rejects both bids, and has prepared a second Notice of Bids for Professional Appraiser Services for the Board's consideration. At the conclusion of explanation a motion was made by Mr. Wyman to approve Resolution No. 2012-BCCR-25, rejecting both bids, and approve the Notice of Bids for Professional Appraiser Services. Bids are to be received no later than 8:15 a.m. on September 17, 2012, and will be opened at 9:00 a.m. on the 17th. The motion was seconded by Mr. Thompson and carried.

2) Ms. Shepherd submitted a contract with Nexus Group, for Professional Property Tax Services. This agreement is to provide support for property tax appeals and/or claims for exemption filed with the Assessor. The services include review of appeals; requesting information from taxpayers filing appeals; gathering of information regarding appeals; meeting with the Property Tax Assessment Board of Appeals, and taxpayers or their representatives; attending hearings related to appeals; legal representation of Assessor. The services will be provided by Ms. Marilyn S. Meighen who has much experience and expertise. A motion was made by Mr. Wyman to approve the contract for Professional Property Tax Services with Nexus. The motion was seconded by Mr. Thompson and carried.

INFORMATION SYSTEMS:

Information Systems Director Terry Tribby submitted a Request for Quotes for Managed Print Services for the Board's consideration. At previous meetings, the Board gave approval for several vendors to do a printing needs assessment for the Administration Center (*please refer to page four, "In The Matter Of County Printing Needs", of the Regular Meeting minutes dated June 4, 2012, and page 6, "In The Matter Of Public Comment", of the Regular Meeting minutes dated June 18, 2012*). Mr. Tribby believes it will save time and assure that all the vendors will be assessing from the same data, if the Information Systems department employees capture printing volume from every device whether it is a Network Printer, Desktop Printer or Multi-Function Device on a monthly basis. An inventory of all printing/copying devices has been completed. The IS department will also be documenting the calls related to printing issues, the time spent, and actions taken to resolve issues. The IS department will attempt to provide current costs of toner cartridges for printers and copiers. The vendors will take that information into the meetings they conduct with each Office Holder and Department Head. During those meetings the Office Holder/Department Head will outline their office's printing needs based on workloads, workflow, and customer service. At the conclusion of Mr. Tribby's request, a motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to approve the Request for Quotes for Managed Print Services, for Shearer Printing, Beckley Office Equipment, Copy Co and Cannon IV, with submission to be on or before 9:00 a.m. on February 4, 2013.

COMMUNITY CORRECTIONS:

Community Corrections Director Ray Tetrault submitted a Contract between Howard County and iSecuretrac. The Community Corrections department has traditionally been using the ankle bracelet as a tracking device informing the Department of where the offender is. The iSecuretrac device is specifically for offenders with alcohol problems. The Department currently sends probation officers to visit the offender they suspect of having alcohol problems. This device leases for less money than the ankle device, and will require random breathalyzer testing three times a day. The breathalyzer results are sent to the Community Corrections Office by e-mail, so an officer does not need to be sent out for a home visit. This equipment can be programmed by the Community

Corrections Department and has been tested. It is by use only, as determined by the Courts, and will be paid for by User Fees. A motion was made by Mr. Wyman to approve the contract with iSecuretrac and authorize the President to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Thompson and carried.

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 August 24 and 31, 2012, in the amount of \$351,341.90 each, were submitted and approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.
2. **Operating Claims:** Commissioners' Operating Claims payable today, in the amount of \$408,385.56, were submitted by Ms. Wells, and approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.
3. **Monthly Reports:** Ms. Wells submitted the Treasurer's Monthly Report for the month ending July 31, 2012, and the Clerk of the Circuit Court Monthly Report for the month ending July 31, 2012. Both reports were 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 Commissioners' information and approval:

1. **Waggoner Invoice:** Mr. Murrell submitted an invoice from Waggoner-Irwin-Scheele & Associates for consultation services for Personnel Policy Handbook update, in the amount of \$2,707.11. He commented that through Personnel Director Wanda McKillip's review of the invoice, the County was able to save \$500. The invoice was approved for payment on a motion made by Mr. Wyman and seconded by Mr. Thompson. Mr. Wyman thanked Ms. McKillip for her work on the employee policy handbook, and issued an invitation to all employees for their input on the policy updates.
2. **Wilson Invoices:** Mr. Murrell submitted invoices from Attorney Alan Wilson for three cases as follows: Jason Jones vs. Howard County Clerk, in the amount of \$1,133.00; Teddy H. Driver vs. Howard County Sheriff, in the amount of \$385.00; Dennis Gaskill vs. Howard County, in the amount of \$2,904.00, with an invoice for depositions, in the amount of \$345.80. All these invoices are to be paid from the Insurance Deductible line item. The invoices were approved for payment on a motion made by Mr. Wyman and seconded by Mr. Thompson.

IN THE MATTER OF COMMISSIONER ISSUES:

COMMISSIONER THOMPSON:

Commissioner Thompson submitted a copy of an e-mail sent to City Council members before their August meeting, and asked that it be put into County records as follows:

Dear City Councilwomen and Councilmen,

Hope you and your families are all doing well on this beautiful day. With this email, I would like to express to you my opinion on terminating the longstanding InterLocal agreements between the City and the County that have served the people of Kokomo and all of Howard County very well for many years.

One month ago, the City informed the County that they intended to terminate at least three InterLocal agreements: Weights and Measures, Emergency Management, and Dispatch. These three agreements were put in place many years ago by true statesmen/women and have been supported (and improved upon) by several Mayors, Commissioners and Councils since their inception. The folks I have spoken with (as do I) believe the termination of these agreements will set the community back instead of moving us forward. Frankly, the fast moving pace of terminating these agreements without much warning and without public input is somewhat alarming.

As civic leaders I know you are asked to make tough decisions every time you meet but when making your decision on these most important issues, I ask that you take your time and make the best decisions for all of Howard County.

God Bless,
bill thompson
cell #765-210-2070”

The second submission is a letter sent August 12, 2012:

“A week ago today on 13 Aug 2012, several elected County office holders including all three Commissioners attended the City Council meeting. The Council’s agenda included two very important items of interest to the County; the immediate termination of two InterLocal agreements, Weights and measures, and Emergency Management.

As stated in my letter to the Council, the City had contacted the County a month earlier stating that they wanted to immediately terminate these two consolidated offices along with terminating Dispatch that has just been fully consolidated within the last two years. At this City Council meeting, Commissioners presented the County’s official response which stated the County is capable of taking over both offices and asked the Council for two requests:

1. Work together with the County to insure a smooth transition just as the County is currently doing for the city with annexation that began the first of this year, and
2. Give the County until the end of this year to transition full responsibility for Weights and measures and allow us until the end of 2013 to transition full responsibility for Emergency Management.

The City Council did neither. Instead they sped up the process by passing both items in one meeting by first and second readings; thanks City Council for showing the due diligence these issues deserved.

Those of us that have served honorably in the military will understand when I also say, thanks for having our backs. The next time you need to drink kool-aid, may I suggest prune juice instead; it is better for you and the end product would still be the same for the type of respect you have shown the citizens of Howard County.

Sleep well my friends.
Bill Thompson
County Commissioner”

COMMISSIONER MOORE:

- 1) Commissioner Moore read the following letter date August 14, 2012, from the City of Kokomo, and asked that the Board of Commissioners officially receive the notice:

“Dear Commissioner Moore:

The purpose of this letter is to inform you of the City of Kokomo’s (the “City”) intent to Terminate the Interlocal Agreement between the City of Kokomo, Indiana, and the County of Howard, Indiana, concerning Utilization of the Municipal Weights and Measures Inspector by the County of Howard (the “Interlocal Agreement”). Pursuant to the terms of the Interlocal Agreement, this letter serves as the City’s sixty (60) day written notice of the City’s intent to Terminate the Interlocal Agreement. The City plans to terminate the Interlocal Agreement sixty days from the date of this letter.

Thank you for your time and attention to this matter. If you have any questions, please Feel free to contact me.

Sincerely,
Greg Goodnight, Mayor City of Kokomo”

A motion was made by Mr. Wyman to let the record reflect the receipt of the Notice to terminate the Interlocal Agreement for the Weights and Measures office in sixty (60) days. Mr. Moore vacated the chair to second the motion. The motion carried with two (2) aye votes. Mr. Thompson did not vote.

2) The Care of Individuals line item in the Commissioners' County General budget is being used to pay expenses for female prisoner holds at the Criminal Facility in Miami County. Female inmates will continue to be held in Miami County until the renovation project is completed in January, 2013. An Additional Appropriation request is needed to cover the expenses, in the amount of \$30,000. A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to approve the preparation of an Additional Appropriation Request of \$30,000, to be submitted at the September 5th Council Meeting.

3) Mr. Moore received a Notice of Hearing from the Howard County Board of Zoning Appeals, concerning the petition of Tim Bontrager for a Special Exception to excavate a Borrow Pit in an AG Zoning district as part of the Kokomo Airport runway expansion project (Case 5-CS-12). The hearing is scheduled for Tuesday, August 29, 2012, at 7:00 p.m. in the Hearing Room in the Howard County Government Center.

4) DLZ INDIANA, Inc has sent an update on the Wayfinding Sign Installation Project for the City of Kokomo. This copy of the Update is to be put on display in the Auditor's Office for public inspection. Several of the signs are outside the city limits so Howard County is to review the installation plan.

5) The Board of Commissioners received a notice from the Indiana Criminal Justice Institute, that the Governor's Commission for a Drug Free Indiana has reviewed and approved Howard County's Comprehensive Community Plan. Approval of the plan is the first step necessary for making allocations from the County Drug Free Communities Fund.

6) Mr. Moore was the Hearing Officer for the Township Assistance Hearing for Barbara Hall, Center Township. After hearing testimony from Ms. Hull and the Center Township Trustee Representative, it is his recommendation to uphold the denial of the Township Trustee. A motion was made by Mr. Wyman to uphold the denial of the township trustee in the Hearing for Barbara Hull. The motion was seconded by Mr. Thompson and carried.

7) Discussion ensued between Buildings and Grounds Superintendent Scott Reed, pertaining to Christmas holiday decorations around the courthouse. Our current hanging decorations are outdated and in disrepair. There is no need for lawn decorations as they are part of the "Light Up Your Holiday" project. Mr. Reed stated that the closer we get to the season, the more expensive they are. He would like to put in an order early in September. Commissioner Thompson asked that we adhere to the current policy, and, try to get private or civic donations, in lieu of using taxpayer money. The Board will take this into consideration.

IN THE MATTER OF PUBLIC COMMENT:

President Moore opened the floor for discussion as follows:

Tim Sheets, Darrough Chapel, Kokomo, Indiana: Mr. Sheets is a homeowner in the Darrough Chapel area, whose property line is next to the easement the oak trees are located on. He asked the Board of Commissioners for their opinion and comment concerning the removal of the trees in order to proceed with the Darrough Chapel Sewer Project. Commissioners Moore, Thompson, and Wyman all spoke to the issue, clarifying that the County owns a dedicated alley that houses the trees in question, as well as chicken coop, fencing, etc. The homeowners have been asked if they would allow granting an easement on several properties, in order to install lines for the sewer project. Because homeowners have denied usage, there is no other recourse than to use the dedicated alley the county already owns. The \$600,000 grant used for this project has a dedicated project area. We are not allowed to use grant money for any property outside of the dedicated project area.

***There being no further business to come before the Board of Commissioners at this time,
the meeting was adjourned at 5:38 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 Board of Commissioner Meeting August 20, 2012