

## **HOWARD COUNTY BOARD OF COMMISSIONERS MEETING MARCH 19, 2012**

The Howard County Board of Commissioners met in Regular Session on Monday, March 19, 2012, at 8:30 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 Tyler Moore. Commissioner Bill Thompson led all in the Pledge of Allegiance, and Commissioner Paul Wyman led in a word of prayer.

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

The minutes of the March 5, 2012, 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:**

President Tyler Moore opened the floor for comment as follows:

Commissioner Wyman thanked the Howard County employees and community for their involvement in the effort to collect supplies for the victims of the Henryville and Marysville tornado. A truck was filled and driven down to the relief site. He also thanked Engineer/Superintendent Ted Cain for working with the Henryville Board of Commissioners and sending two (2) of the County Highway Department trucks to aid in the removal of debris. At this time Mr. Cain introduced Mr. Dave Maynard and Mr. Jim Daily, the two Highway Department Employees who assisted with debris removal, working Tuesday, March 6 – 9 and March 12 – 14. Henryville expressed appreciation to the two drivers for their efforts and to Howard County for their help during this relief effort.

Tribune Reporter Ken de la Bastide thanked Mr. Cain for getting him in contact with driver Dave Maynard, for the story and pictures of the effort.

Commissioner Moore also expressed appreciation to the Community for their participation in this and other projects.

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

#### **HIGHWAY DEPARTMENT:**

Highway Engineer / Superintendent Ted Cain submitted a State – Local Public Agency Contract for the Construction of Federal Aid Project by Force Account, Supplement Number 1. This Supplement is the first for the original contract signed in September, 2011, for the replacement of signs within the urbanized area of Howard County, but outside the city limits of Kokomo, to meet MUTCD requirements. This agreement extends the local agency's work completion to three hundred sixty-five (365) days. A motion was made by Mr. Wyman to approve the Local Public Agency Contract, Supplement Number 1. The motion was seconded by Mr. Thompson and carried.

Mr. Cain submitted a Local Public Agency contract with Butler, Fairman and Seufert, Inc., for services for the rehabilitation of Howard County Bridge No. 64, carrying LaFountain Street over Kokomo Creek. Mr. Cain would have liked to complete this project earlier, but available Federal funds were used for the Dixon Street project. Now that the Dixon Street project is finished, funds are available for design work and any right-of-way engineering needed for the inclusion of a bike lane on the structure. Other funds will be needed for the actual right-of-way purchases and bridge inspection. The maximum amount payable under this contract will not exceed \$138,840 (20% from Howard County and 80% by Federal funds). A motion was made by Mr. Wyman to approve the LPA contract with Butler, Fairman and Seufert for design and right-of-way engineering, in an amount not to exceed \$138,840.00. The motion was seconded by Mr. Thompson and approved.

#### **SHERIFF DEPARTMENT:**

Sheriff Rogers and his department are meeting with DLZ Engineers to finalize electrical issues at the Jail before bidding the reconstruction project.

Sheriff Rogers informed the Board that all sixty-one (61) female holds, at this time, are in the Howard County facility. Previously several of the females were held in Miami County.

E911 Coordinator Nick Capozzoli submitted Ordinance No. 2012-BCCO-07 – Additional Appropriations. These are additional requests in the Equipment line item (04721) in order to fund mapping and recording projects. Mr. Capozzoli had previously submitted a Memorandum of Understanding with the City of Kokomo, confirming their support of the two projects to be supported by the E911 Fund (*please refer to page three, “Departmental Reports, E911 / Dispatch”, of the Regular Meeting minutes dated March 5, 2012*). That MOU is at the City, and the Mayor’s office has given their intent to sign the agreement. In response to Commissioner Thompson’s question concerning new E911 legislation, Mr. Capozzoli responded that the legislation is in the Governor’s office for signature. The new legislation sets the E911 fees at \$.90 per device, and that those fees will be collected and distributed by the State. The State promises that for the next three years, counties should not see a decrease in the collections. A motion was made by Mr. Wyman to approve Ordinance No. 2012-BCCO-07, \$135,000 to line item 04721, Equipment. The motion was seconded by Mr. Thompson and carried.

#### **SURVEYOR:**

Surveyor Dave Duncan submitted a request to purchase a new copier from the Commissioners’ Equipment account in the Cumulative Capital Fund. Prior to today’s meeting, Auditor Wells informed Mr. Duncan that she was informed by Beckley’s Equipment that they have several end-of-year copiers they are willing to sell at \$9,500 per unit. It was the consensus of the Board to direct Ms. Wells and Mr. Duncan to survey other departments for possible copier needs, and bring the requests to the Board of Commissioners.

#### **PERSONNEL DEPARTMENT:**

1) Personnel Director Wanda McKillip submitted PAC Recommendations as follows:

Sheriff Department: The PAC recommends the request for a new Court Security Officer position for the Courthouse with a salary of \$29,954.00. Commissioner Wyman asked Sheriff Rogers for justification for this request and Sheriff Rogers gave a history of need for an extra security officer, in lieu of using a Merit Deputy pulled from patrol or the Security Desk in order to fill in at the security devices in the Courthouse. Commissioner Thompson voiced support for the additional Security Position, confirming that the position has been needed for several years. At the conclusion of continuing discussion, a motion was made by Mr. Thompson to approve the PAC recommendation for an additional Court Security Position, in the amount of \$29,954.00, and forward the recommendation to the County Council. Mr. Moore vacated the Chair to second the motion and the motion carried with two Aye votes and one Nay vote from Commissioner Wyman.

Maintenance Department: The PAC recommends the request for a transfer to create a Labor/Maintenance (Entry Level Maintenance) position with a salary of \$30,980, and to eliminate one of the Maintenance Tech One positions. The entry level position would also be a training time for a Maintenance Tech position when the need arises. The Commissioners expressed appreciation to Mr. Reed and the Maintenance Department for continuing fine Maintenance services even through the loss of several positions in the last few years. A motion was made by Mr. Thompson to approve the PAC recommendation and the forward the approval to the County Council for their consideration. The motion was seconded by Mr. Wyman and carried.

2) Commissioner Moore signed an E-Verify (Employment Eligibility Verification) Document, allowing Mr. Moore and the employees of the Personnel Department to report verification that there are no illegal immigrants working for Howard County government. Ms. McKillip is requesting the Board ratify Mr. Moore’s signature. A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to ratify Mr. Moore’s signature on the E-Verify paperwork.

3) Twenty-six (26) Howard County Employees and family have signed up for the YMCA 2012 Strong Kids weight loss campaign. The campaign dates are March 12 – April 23, 2012.

4) April is National County Government month. The Personnel Department is working with schools in Howard County to set up dates to tour county buildings. On April 19<sup>th</sup>, Northwestern School will be touring the Courthouse; on April 13 Western School will be touring the Courthouse. Eastern School and Taylor School will be scheduling dates to tour the Administration Center.

5) Ms. McKillip submitted a Letter of Engagement with Waggoner, Irwin, Scheele & Associates, for human resources consulting services as it pertains to Personnel Policy Administration, and review of Policies and

Recommend Revisions on an “as needed” basis. The fees will be billed on an hourly basis plus expense reimbursement. A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to approve the Letter of Engagement Consulting Contract with Waggoner, Irwin, Scheele and Associates, and authorize the President to sign on behalf of the Board of Commissioners.

6) Commissioner Thompson reported on the recent Courthouse Security meeting. In determining if the Courthouse should be used as a Public Forum, it was suggested that the Courthouse be allowed as a Public Forum and if there is any disruption to the operation of the Courthouse offices, the entity would be asked to leave by the Courthouse Security. The committee is looking at verbiage to reflect the suggestion, and Mr. Thompson will bring a report to the next meeting.

#### **INFORMATION SYSTEMS DEPARTMENT:**

1) Information Systems Director Terry Tribby submitted a Letter of Authorization from A T & T that had been previously submitted at the March 5<sup>th</sup> meeting (*please refer to page three, issue two, “In The Matter Of Departmental Reports, Information Systems Department”, of the Regular Meeting minutes dated March 5, 2012*). Mr. Murrell has reviewed the agreement, and the Letter of Authorization is ready for approval. A motion was made by Mr. Wyman to approve the Letter of Authorization from AT & T, Long Distance Services, and authorize the President to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Thompson and carried.

2) The Veterans Service Office is experiencing difficulty with their software application. Mr. Tribby suggests that they look into programs from other vendors. One of the vendors they will be looking at is an imaging software vendor (document management), whom they met with last week. In meeting with that vendor Mr. Tribby also thought about other departments (Health Dept, Personnel, Public Defender Office, and Sheriff Department) that are interested in document management. Mr. Tribby would like to find one vendor that can meet the document management needs of all the departments. Mr. Tribby is looking at Docuware and Laserfiche, and will bring more information at a later time. Commissioner Thompson asked that the Veterans Office be top priority. Mr. Tribby confirmed that the Veterans Office is high priority in the Information Systems Department.

3) Mr. Tribby was able to obtain Commissioner Moore’s signature for an early pay claim on behalf of the Kinsey Youth Center. This claim was to pay a maintenance claim for the clock system in that building, and it needed to be done immediately in order to obtain maintenance service while moving the clock system from the old server to the new server. Mr. Tribby requested Commissioner Moore’s signature be ratified. A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to confirm President Moore’s signature on the early pay claim.

#### **HEALTH DEPARTMENT:**

1) Health Department Director Kent Weaver submitted a Communicable Disease Status update. He introduced Nursing Coordinator Kathy Oldaker, who stepped to the podium to deliver an update on the Communicable Disease Outbreak. There is currently a TB outbreak and 600 people have been tested to date. TB is a slow process. To date eight people have tested positive. The eight are considered “latent” and cannot infect other people. The disease could take ten to twenty years to become active, or it may never become active. Lung TB is the only type of TB that is communicable. Once a person tests positive, they are turned over to a doctor for a chest x-ray. The Health Dept will do routine follow-ups, and those who are latent can receive medication through the Health Department, if they are eligible.

Ms. Oldaker also informed the Board of Commissioners of an outbreak of Chicken Pox. Chicken Pox was once considered a childhood disease. Because of the Pox vaccine, Chicken Pox is now considered a vaccine preventable disease. Five cases are considered an outbreak and children are not allowed in school without the vaccine. Adults that have not been vaccinated cannot work in the school until vaccinated. A mass vaccination will be held by the Health Department.

There are no confirmed measles in Howard County.

Ms. Oldaker commended Terry Tribby and his department for their aid in the Health Department becoming HIPPA compliant. The IS Department held training for the Health Department employees.

Ms. Oldaker informed the Board that the 8-year-old refrigerator used to contain vaccine, has a compressor issue. Director Kent Weaver also confirmed that the Department of Local Government Finance has cut the 2012 Health

Department Budget by \$13,000, and there are several needs that he requests help with from the Board of Commissioners. Those needs include:

- Vaccine Refrigerator
- WI FI availability for site clinics
- Funds to mitigate community health issues (blighted properties, etc)
- Purchase of a new vehicle for inspections.

Mr. Weaver also mentioned that the public is having difficulty with the 84 degree temperatures in the Public Nursing rooms, as they wait to receive vaccinations. A call was made to Maintenance on Friday, to alert them to the situation. It was the Board of Commissioners' consensus to direct Mr. Weaver to obtain quotes for the issues that need the Commissioners' financial assistance, and bring those quotes to a Commissioner meeting for action to be taken.

2) Mr. Weaver submitted the Howard County Health Department Fee Collection Ordinance that includes changes in the Schedule A. Those changes will allow the Health Department to collect fees for the Illegal Drug Lab Occupancy Permit; fees for self-pay Immunizations for children and adults; self pay tuberculosis skin tests; fees for repeat site visits or other discretionary visits. Assistant County Attorney Alan Wilson has reviewed the Ordinance Schedule A changes. Commissioner Wyman asked Mr. Weaver to include language for the changes discussed earlier in his presentation. Mr. Weaver will submit the amendments to Schedule A at the next meeting.

#### **MAINTENANCE DEPARTMENT:**

1) Buildings & Grounds Superintendent Scott Reed reported that the generator installed at Howard Haven is up and running. In the process of installation, while Kokomo Gas was installing an upgraded meter for the generator, they discovered that some of the wiring and the electrical box is obsolete and in need of replacement. Mr. Lowdermilk (electrician) informed Mr. Reed that updates need to be made in the amount up to \$4,500. Mr. Reed does have enough in his Cum Cap Equipment Repair line item. Commissioner Wyman asked Mr. Reed to prepare a listing of new equipment and repairs for Howard Haven for the past six months.

2) Mr. Reed will not be attending the April 2<sup>nd</sup> Commissioner meeting. He is having back surgery the end of this week.

#### **JUVENILE PROBATION:**

Chief Probation Officer Don Travis requested that President Moore's signature be ratified on the Juvenile Detention Alternative Initiative, Juvenile Accountability Bloc Grant paperwork. The initial grant was received in 2011, but no monies were expended until a week ago. Mr. Travis has asked for a continuance from the Indiana Criminal Justice Institute for another year. The money will be used for further training and for Business Intel Solution that can be put over their data base to enable them to collect further data required from the program. A motion was made by Mr. Wyman to ratify President Moore's signature on the Continuation Approval paperwork for the Probation Bloc Grant. The motion was seconded by Mr. Thompson and carried.

#### **IN THE MATTER OF THE N.O.V.I.A. CARE CLINIC:**

President Moore announced that a decision has been reached concerning the employee health care provider. Mr. Murrell and Mr. McCormick from RepuCare have reviewed the contract and prepared a draft for consideration, but is not yet in final form. Commissioner Wyman commented that with the new provider, the County has the opportunity to save over \$60,000 a year. That is very important in the light of increased health care costs and the increase in rates. The new provider has cancellation clauses for the County's protection if the new service does not work as planned. The former provider (NOVIA) has agreed to reinstate services if we so desire. A motion was made by Mr. Wyman to give notification to NOVIA Health Care of cancellation, accept RepuCare as the new provider, and authorize the President to sign the termination document and the Agreement with RepuCare on behalf of the Board of Commissioners. Mr. Thompson commented that he has spoken with over two dozen employees that use the clinic, that have stated they want to keep NOVIA. "I stand with the employees on this issue." Mr. Moore also commented on the realities of switching providers that included the money savings, the reduction in hours open if we remain with NOVIA, and the fact that we are at the City's mercy because of the shared services. He did confirm that the County has identified space, should we part from the City's building, within sixty (60) days, if needed. Mr. Moore vacated the Chair to second the motion, and the motion carried with two Aye votes and one Nay vote from Commissioner Thompson. Commissioner Thompson, for the record, gave this comment: "It looks like Willard isn't the only one that likes to be able to fire their health care provider."

Tribune Reporter Ken de la Bastide asked the following question:

Is RepuCare giving the City and County a discounted rate?

Mr. Wyman replied that the employee amount is \$5 per employee per month and that is less than NOVIA.

#### **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:** Commissioners' Salary, Hourly and Overtime claims dated March 23 and 30, 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:** The Commissioners' Operating Claims payable today, in the amount of \$260,479.26, were submitted and approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.
3. **Ratify Signature:** Mr. Moore signed for approval early pay claims for Dave Maynard (\$126.30), Jim Daily (\$112.69) and Ted Cain (\$385.75) for Tornado Relief expenses. Mr. Moore's signature was ratified on a motion made by Mr. Wyman and seconded by Mr. Thompson.

A motion was made by Mr. Wyman to ratify the signature of Mr. Moore on the Agency One Security Group (\$797.50) early pay claim. The motion was seconded by Mr. Thompson and carried.

A motion was made by Mr. Wyman to ratify President Moore's signature on the Tax claim for the Ditch Assessment and ATM Tax (\$527.12) on the former Civic Center property. President Moore vacated the chair in order to second the motion. The motion carried. Commissioner Thompson abstained from the vote.

4. **Reports:** Ms. Wells submitted the February EMA Calendar and the March Calendar and activities report; the Howard County Treasurer's report for the month ending February 29, 2012; the Clerk's Monthly Report for the month ending February 29, 2012. All reports were received 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. **Letter Of Consent:** Mr. Murrell submitted a Letter of Consent from Barnes & Thornburg to Howard County, requesting Howard County to consent to allow Barnes and Thornburg to represent Community Health in any existing or new matters that are unrelated to the transaction that Barnes & Thornburg are representing Howard County. Mr. Murrell has reviewed the agreement and finds it in order. A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to approve the Consent letter from Barnes and Thornburg, subject to Community Hospital signing the same kind of Consent Letter from Barnes & Thornburg.
2. **Recommendation Of Alan Wilson:** Attorney Larry Murrell recommended the Commissioners retain Assistant County Attorney Alan Wilson to defend the County in the case against Von Liche Kennels. Because the complaint does not seek damages from the county, there is no insurance coverage. Mr. Wilson will be paid his contract rate of \$110 per hour. At the conclusion of ensuing discussion, a motion was made by Mr. Wyman to approve the recommendation to retain Assistant County Attorney Alan D. Wilson, as outside council to represent Howard County, at the regular rate of \$110 per hour. The motion was seconded by Mr. Thompson and carried.

**IN THE MATTER OF COMMISSIONER ISSUES:**

**COMMISSIONER MOORE:**

The Kokomo Tea Party has requested the use of the East Side steps and the electricity from the County Courthouse for a rally on Thursday, April 12, 2012, from 6 – 7 p.m. The request was approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.

The Howard County National Day of Prayer has requested use of the Courthouse eastside steps, on Thursday, May 3, 2012, from noon to 1:00 p.m. The street will be closed off for this event. The request was approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.

Mr. Moore was the Hearing Officer for the Township Appeal Hearing for Gregory A. Goudy, Center Township. After hearing both sides, it is Mr. Moore's recommendation to uphold the denial of the Center Township Trustee. A motion was made by Mr. Wyman to uphold the denial of Center Township Trustee for Mr. Gregory A. Goudy, as recommended. The motion was seconded by Mr. Thompson and carried.

Tomorrow is the Howard County Ag Day at the County Campground in Greentown. It starts at 9:30 a.m. and the theme of the day is "Where Does Your Pizza Come From?"

***There being no further business to come before the Board at this time,  
the meeting was adjourned at 10:38 a.m. on a motion made by  
Mr. Wyman and seconded by Mr. Thompson.***

**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 March 19, 2012