

## **HOWARD COUNTY BOARD OF COMMISSIONERS MEETING JUNE 18, 2012**

The Howard County Board of Commissioners met in Regular Session on Monday, June 18, 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 Sheriff Steve Rogers and conducted by President Tyler 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 June 4, 2012 Regular Board of Commissioner 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 Moore opened the floor for public comment as follows:

Ken de la Bastide, Kokomo Tribune: In light of current drought conditions, Mr. de la Bastide asked if the Board of Commissioners were going to consider issuing a Burn Ban for Howard County.

President Moore responded that the Board of Commissioners would be discussing that issue during Commissioner Issues.

Joe Anderson, 11750 E County Road 200 N, Greentown, Indiana: Mr. Anderson has e-mailed the Commissioners concerning the Wind Farm that will be constructed in Howard County, east of Greentown. Mr. Anderson contacted the Board of Commissioners, three years ago, when the wind tower was installed. He has young children with issues, motivating him to review and research Wind Farms; he has visited factories, General Electric, and wind turbine facilities. Mr. Anderson feels he has an unbiased opinion. He has also reviewed the Howard County Zoning Ordinance extensively and is concerned about "set back" issues and several health issues. He believes the Wind Farm would eliminate jobs, not create jobs. He believes that citizens would not build close to the wind farms, and that Howard County would not be the beneficiary of the electricity generated by the Wind Farm. He believes that people do not know the whole truth, and asked the Board of Commissioners to do their "due diligence" and study this matter further. Mr. Anderson distributed copies of "Wind to Energy Facility Standards".

President Moore thanked Mr. Anderson for the research he has done and for distributing copies of information to the Board of Commissioners. He assured Mr. Anderson that he is not the only citizen who has expressed concern, recently. Taxpayer expressions of concern and information will be forwarded to the Plan Commission Board for their consideration. "Never apologize for keeping us educated and well informed. I appreciate it."

Commissioner Thompson read the following comment for the record:

"Last week, not one but two local papers reported that Commissioner Thompson had "lamented" when making a comment on the purchase of copy machines by local, state, and federal agencies.

Webster's Dictionary defines lamented as; an audible expression of grief; to utter cries of sorrow; to mourn for or to weep.

Really?

Are the writers and their editors that obtuse?

My comment was both satirical and humorous on a subject that keeps getting Xeroxed in public over and over again.

Gentlemen, you just need to learn to lighten up and smile: God bless.

Thank You, Mr. President."

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

### **PLAN COMMISSION:**

- 1) Plan Commission Director Greg Sheline submitted a request to extend the New US 31 Moratorium until December 31, 2012. The final Overlay Districts' Plan from American Structurepoint has been received and public hearings will begin mid-July. A motion was made by Mr. Thompson to extend the Development New US 31 Moratorium until December 31, 2012. The motion was seconded by Mr. Wyman and carried.
- 2) The County has issued a new Order of Unsafe Premises for property owned by Ms. Rebecca Hall, located at 900 South Clark Street, to be submitted to Enforcement Officer Greg Sheline. A Public Hearing needs to be set by the Board of Commissioners and Mr. Murrell suggested July 16, 2012. At the conclusion of ensuing discussion, a motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to set a Public Hearing for July 16, 2012, at 9:00 a.m., for the Unsafe Property located at 900 South Clark Street.
- 3) There is only one (1) Flood Mitigation property that remains to be purchased by the County. Once that purchase has been completed the County can begin the bid process for excavation.

### **PROBATION DEPARTMENT:**

- 1) Chief Probation Officer Don Travis submitted a request to purchase a new chair from the Cumulative Capital Equipment line item (04000), not to exceed \$160.00. A motion was made by Mr. Wyman to approve the request of a new office chair for the Probation Department, not to exceed \$160.00, and to be paid from the Cumulative Capital Commissioner Equipment line item. The motion was seconded by Mr. Thompson and carried.
- 2) The lease for the AS400 Server for the Quest case-management system for the Juvenile Court, Juvenile Probation Department, Kinsey Youth Center, Adult Probation Department, and some of the Community Corrections Program, will expire December 31, 2012. The company who holds the lease needs six months notice of renewal. The current lease is \$827 monthly; the new lease will see a savings of \$103, monthly, giving us the most current equipment available. Mr. Travis asks that the Board of Commissioners sign a new 3 year lease, effective January 1, 2013, to be paid from the Probation User Fee Fund. A motion was made by Mr. Wyman to approve the new three year lease for the AS400 Server, effective January 1, 2013, subject to the final review by the County Attorney.
- 3) Mr. Travis is the President of the Probation Officers Professional Association of Indiana (POPAI). Their organization was approached by the Indiana Criminal Justice Institute concerning the possibility of offering scholarships to probation officers to attend a nationally recognized conference occurring in Indianapolis in August, 2012. However, funds from the ICJI can only be awarded to local governments. So, Mr. Travis is asking the Board of Commissioners to allow Howard County to apply for the Grant and act as a "pass through" agency for this grant. Mr. Travis has already assured the POPAI Executive Board that the match money has been assured through the ICJI, so Howard County is not obligated for any of the funding. This would, however, obligate the Auditor's Office for the receipt of funds and forwarding the funds to the POPAI, who would be responsible for all work on the grant. A motion was made by Mr. Wyman to allow Howard County to be the Financial Agent for the ICJI Scholarship Grant, and authorize the President to sign the grant on behalf of the Board of Commissioners. The motion was seconded by Mr. Thompson and carried.

### **PERSONNEL DEPARTMENT:**

- 1) Personnel Director Wanda McKillip submitted a PAC recommendation on behalf of Auditor Ann Wells. Auditor Wells is requesting that two (2) Job Share positions be reversed back to one (1) Full-time Second Deputy Position. This change would allow one current Job Share position to remain. The request is due to the work load in the finance staffing department and their increased responsibilities and deadlines. After experiencing the two (2) Job Share positions Ms. Wells feels it would better serve the department to have one person performing the duties instead of two. The monies for the Second Deputy position are being transferred from the Job Share line item and no additional monies are requested. The PAC met on Wednesday, June 6, 2012, and has recommended in favor of the above request. Ms. Wells spoke to this request by informing the Board that she will also need to request to rehire the payroll position, as the current payroll employee will be leaving July 1<sup>st</sup> of this year. One of the current job share employees is learning payroll. Ms. Wells continued to inform the Board that there are several additional duties mandated by the State, for the financial deputies, and she would like to combine two of the three job share positions into a full-time position for the financial department. In response to a question posed by Mr. Wyman, Ms. Wells confirmed that two of the job share positions have been working every week. Ms. McKillip

informed the Board that one of the job share positions is vacant because that person moved to a full time position in the Prosecutor's Office. At the conclusion of discussion, a motion was made by Mr. Thompson to approve the PAC's favorable recommendation and forward the recommendation to the County Council. President Moore vacated the chair in order to second the motion. Further discussion ensued as to how combining the job share positions (35 hours each) into one full-time position (40 hrs) would benefit the financial office. A vote on the motion is recorded as one (1) aye vote and two (2) nay votes. The motion did not carry. The Board will not forward a favorable recommendation to the County Council for this request.

2) The Healthy Eating Luncheon (City of Kokomo and Howard County) will be held on Wednesday, in two sessions (*please refer to page three, item two, "In The Matter Of Departmental Reports: Personnel" of the Regular Meeting minutes dated June 4, 2012*).

3) The Nepotism Ordinance will not be submitted today (*please refer to page three, item five, "In The Matter Of Departmental Issues: Personnel" of the Regular Meeting minutes dated June 4, 2012*). Because the Nepotism Ordinance is effective July 1, 2012, the Board of Commissioners will need to meet in a Special Session. A Special Session will also be needed to open the bids for the Darrough Chapel Project. The Board could meet for the Nepotism Ordinance at that time. They are looking at the date of June 28, 2012; that will be determined later in the meeting.

**COUNTY ASSESSOR:**

County Assessor Jamie Shepherd submitted the Professional Appraiser Services Bids for opening as follows (*please refer to page two, "In The Matter Of Departmental Reports: County Assessor", of the Regular Meeting Minutes dated May 21/22, 2012*):

- Three Contracts were bid for:
1. Trending 2013 – 2017
  2. 2017 Reassessment
  3. Assessment Services 2013 – 2017

Bids were received from:	Tyler Technologies	\$ 261,704.00
		\$1,614,250.00
		<u>\$ 242,130.00</u>
		<b>\$2,118,084.00</b>
	Ad Valorem Solutions	\$ 371,500.00
		\$ 619,300.00
		<u>\$ 247,500.00</u>
		<b>\$1,238,300.00</b>

Ms. Shepherd informed the Board that Ad Valorem is the current contract holder for these services. A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to receive the bids and take them under advisement for further review by the County Assessor.

**INFORMATION SYSTEMS:**

Information Systems Director Terry Tribby thanked our Maintenance Department and the Kokomo Fire Department for their assistance in removing a communications tower from the Ivy Tech Center (formerly the Kokomo Event Center). The tower had been used to make the internet available for Event Center activities, and is no longer needed. Mr. Tribby will keep the tower for use in other locations, when needed.

Mr. Moore thanked Mr. Tribby for his help in coordinating with Cannon IV and CopyCo Office Solutions for their print and imaging assessment needs of Howard County (*please refer to page four, "In The Matter Of County Printing Needs", of the Regular Meeting minutes dated June 4, 2012*).

**IN THE MATTER OF WAGE HEARING FOR THE CJC PROJECT:**

County Attorney Larry Murrell informed the Board that before a Common Wage Hearing is requested for the Jail Update Project, the Board of Commissioners will need to appoint three people to the Hearing Board. At the conclusion on ensuing discussion, a motion was made by Mr. Wyman to appoint Commissioner Moore as the Legislative Representative, Captain Harold Vincent as the awarding party's representative, and Mr. Ron Metz as the taxpayer representative, to the Common

Wage Hearing Board for the Criminal Justice Center Update Project. 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:** The Commissioners' Salary, Hourly and Overtime claims payable June 22 and 29, 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 \$771,823.21, were approved for payment on a motion made by Mr. Wyman and seconded by Mr. Thompson.
3. **Early Payment of Claims:** Ms. Wells submitted claims for early payment, for the purchase of three Flood Mitigation Homes and assessment services. These claims need to be signed and approved by the Board of Commissioners. A motion was made by Mr. Wyman to approve and sign the claims for early payment, for the Flood Mitigation properties purchased, and assessment services. The motion was seconded by Mr. Thompson and carried.
4. **Reports:** The County Treasurer's Monthly Report for the month ending May 31, 2012, and the Clerk's Monthly Report for the month ending May 31, 2012, was submitted. A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to accept both reports.

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

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

1. **Supplement To Planning Funds Agreement:** Mr. Murrell submitted a PL Supplement to the use of Metropolitan Planning Funds (PL Funds) in State Fiscal Year 2013. This agreement is between Howard County Government and the Kokomo Howard County Governmental Coordinating Council and first entered into July 1, 1985, to provide for the use of Metropolitan Funds. The County's match is \$2,500, for 2013, and will be used for the Surveillance Project. A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to approve PL Supplement to the Agreement between the Kokomo and Howard County Coordinating Council and Howard County Government, for use in the Surveillance Project.
2. **Widen Touby Pike:** There is a Letter of Agreement with the Indiana Department of Environmental Management concerning drainage issues in the widening of Touby Pike. The Drainage Board has signed this agreement and Mr. Murrell believes the Board of Commissioners should confirm and sign the agreement, as well. A motion was made by Mr. Wyman to approve the Addendum to the June 4, 2012 Letter with the Indiana Department of Environmental Management for drainage issues pertaining to the widening of Touby Pike, and authorize the President to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Thompson and carried.
3. **DLZ Invoice:** An invoice from DLZ Indiana, LLC was submitted in the amount of \$11,962.50. This is for engineering services related to the Howard County Jail – Indoor Recreation Renovation and Security Electronics Upgrade Project. The Invoice was approved for payment on a motion made by Mr. Wyman and seconded by Mr. Thompson.
4. **Kightlinger Invoice:** Mr. Murrell submitted an invoice from Kightlinger / Gray, LLP, for services rendered for the case of Cardwell vs Board of Commissioners (Kim Wilson), in the amount of \$779.55. This claim will need to be paid from the Insurance Deductible line item. A motion was made by Mr. Wyman to approve payment of the invoice from Kightlinger / Gray, LLP, in the amount of \$779.55. The motion was seconded by Mr. Thompson and carried.

5. **Moore Invoice:** An invoice was received and submitted from Moore Title & Escrow, for services regarding the Ownership Report for the Unsafe Property located at 900 Clark Street, in the amount of \$165.00. The Moore Title & Escrow Invoice, in the amount of \$165.00 was approved for payment on a motion made by Mr. Wyman and seconded by Mr. Thompson. Commissioner Moore abstained.
6. **Special Session:** A motion was made by Mr. Wyman to set a Special Session for Thursday, June 28, 2012, at 3:00 p.m. for the Nepotism Policy (including contract neutrality) and the bid openings for the Darrough Chapel Project, in the Hearing Room 338 of the Administration Center. The motion was seconded by Mr. Thompson. The motion was amended by Mr. Wyman to list the room as the Hearing Room in the basement of the Administration Center. Mr. Thompson seconded the amended motion. The motion carried.

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

##### **COMMISSIONER WYMAN:**

Commissioner Wyman submitted Resolution No. 2012-BCCR-15, a resolution of the Howard County Board of commissioners honoring the ISHAA class 3A Baseball State Champion Western Panthers, and declaring June 15, 2012, as the “Day of the Panther” in Howard County, Indiana. Mr. Wyman read the resolution in full one time, as follows:

**WHEREAS**, over the past 35 years under head coach Ty Calloway, the Western Panthers Baseball team has won 15 Mid-Indiana Conference titles, 14 sectional titles and 5 regional titles; and

**WHEREAS**, after ending the 2012 regular season with a 21/9 record, the Panthers won their first semi-state title beating Belmont 11 – 6, unleashing a phenomenal 6-run top of the seventh and earning a berth in the State Championship game; and

**WHEREAS**, on June 15, 2012 at Victory Field in Indianapolis, Western bested Brebeuf Jesuit 8-1 in the championship game to win its first-ever ISHAA baseball state championship; and

**WHEREAS**, THE Panthers and Coach Calloway have thus distinguished themselves and the community which they represent, and well deserve public recognition and honor for this exceptional achievement.

##### **NOW, THEREFORE, BE IT RESOLVED BY THE HOWARD COUNTY BOARD OF COMMISSIONERS AS FOLLOWS:**

1. The Western Panthers baseball team is hereby publicly recognized and honored for winning the school’s first-ever ISHAA Class 3A baseball state championship.
2. The Western Team, Coach Calloway, parents, students, faculty, administration, fans and community are hereby commended for their enthusiastic and unwavering support during both the regular season and the tournament.
3. In honor of this remarkable accomplishment, the Commissioners hereby declare and designate June 15, 2012, as the “Day of the Panther” in Howard County, Indiana.
4. A copy of this Resolution shall be delivered to the Team and shall be made a part of the official records of the Howard County Board of Commissioners.

##### **DULY ADOPTED THIS 18<sup>TH</sup> DAY OF JUNE, 2012**

A motion was made by Mr. Wyman to approve Resolution No. 2012-BCCR-15 as submitted. The motion was seconded by Mr. Thompson and carried.

##### **COMMISSIONER MOORE:**

1) Mr. Moore signed over the title for the 2007 Crown Victoria for transfer out of the Sheriff’s Department. A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to authorize Mr. Moore to sign the title of transfer for the 2007 Crown Victoria from the Sheriff’s Department, on behalf of the Board of Commissioners.

2) Two IDEM Notices were received for the following:

Receipt of Air Permit Application from the Chrysler Group LLC, permit ID #067-31934-00065

Receipt of a Sanitary Sewer permit application from Carey Stranahan, City of Kokomo, for the Darrough Chapel Interceptor, Phase 1, in Kokomo, Indiana.

The notices were received on a motion made by Mr. Wyman and seconded by Mr. Thompson.

3) On a motion made by Mr. Wyman and seconded by Mr. Thompson, the Notice of Public Hearing by the Howard County Board of Zoning Appeals was received into the official records. This Public Hearing is to hear case #4-CS-12, the petition of Grant Runyon requesting a special exception to construct a borrow pit/detention pond for use on the INDOT US 31 Freeway Relocation Project, on property located at County Road North, 50 East, and County Road East 450 North, between North 50 East and US31. The Public Hearing will be held on Tuesday, June 25, 2012, at 7:00 p.m. in Hearing Room 101, in the Howard County Government Center.

4) The Board of Commissioners received an Updated Historic Properties Report and information pertaining to the referenced project's effects upon historic properties, from DLZ, Indiana, LLC. This is in reference to the Wayfinding Signage project for the City of Kokomo. A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to receive the report and make the report available for public inspection in the Auditor's Office.

**IN THE MATTER OF PUBLIC COMMENT:**

President Moore opened the floor for Public Comment as follows:

Mr. Scott Henders, Beckley Office Equipment: Mr. Henders asked permission from the Board of Commissioners to participate in the print management assessment program, beside Cannon IV and CopyCo. It was the consensus of the Board to allow Beckley Office Equipment to participate in the print management assessment program, and referred Mr. Henders to Mr. Terry Tribby, who will be coordinating the assessment.

*There being no further business to come before the Board of Commissioners at this time, the meeting was adjourned at 9:48 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 June 18, 2012