

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING NOVEMBER 19, 2012

The Howard County Board of Commissioners met in Regular Session on Monday, November 19, 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 Moore. Commissioner Bill Thompson led in the Pledge of Allegiance and Commissioner Wyman offered a word of prayer.

President Moore asked that we keep Commissioner Thompson and his family in our prayers, because of the loss of Mr. Thompson's aunt.

IN THE MATTER OF RESOLUTION NO. 2012-BCCR-35:

Commissioner Wyman read Resolution No. 2012-BCCR-35 in full one time as follows:

WHEREAS, on November 3, 2012, the Western High School Marching Panthers earned a record fifth championship in a row at the Indiana State Schools Music Association state competition; and

WHEREAS, the following week at the Bands of America national competition at Lucas Oil Stadium, the Marching Panthers prevailed over 33 other schools from across the nation to earn the title of Class A National Champion; and

WHEREAS, by their dedication and determination, the 112 member Marching Panthers band and guard have distinguished themselves and the Western community, and deserve public recognition and honor for these exceptional achievements.

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

1. The Marching Panthers are hereby publicly recognized and honored for winning both a state and national championship in Class A competition.
2. The Marching Panthers, their directors, parents, faculty, administration, and community are hereby commended for their enthusiastic support of this exceptional organization.
3. In honor of this remarkable accomplishment, the Commissioners hereby declare and designate November 19, 2012 as "Marching Panthers' Day" in Howard County, Indiana.
4. A copy of this Resolution shall be delivered to the band and shall be made a part of the official records of the Howard County Board of Commissioners.

Duly adopted this 19th day of November, 2012.

A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to approve Resolution No. 2012-BCCR-35 as read.

IN THE MATTER OF APPROVAL OF MINUTES:

The minutes of the November 19, 2012, Regular meeting, previously submitted and reviewed were approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.

The minutes of the November 2, 2012 Executive Session were submitted and reviewed. The meeting was held to consider subject matter permitted under IC5-14-1.5-6.1(b)(5), and no other subject matter was discussed. The minutes of the November 2, 2012 Executive Session were approved as submitted on a motion made by Mr. Wyman and seconded by Mr. Thompson.

The minutes of the November 14, 2012 Executive Session were submitted and reviewed. Attendance included five (5) prospective employees who were interviewed individually for the position of Howard County Veterans Service Officer. The subject matter considered was that permitted under IC 5-14-1.5-6.1(b)(5), and no other subject matter was discussed. The minutes 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:

Jerry Paul, 1326 S Webster Street, Kokomo: On behalf of “One Veteran, One Child, One Million Tabs” Mr. Paul presented a plaque to the Board of Commissioners, reflecting the 5,880,000 pop can tabs collected for Riley Children’s Hospital. The plaque states “Ronald MacDonald House of Indiana, Riley Kids of Howard County, Pop Tab Collect a Million Club, 2012”. The plaque was gratefully received by the Board of Commissioners.

IN THE MATTER OF DEPARTMENTAL REPORTS:

VETERANS SERVICE OFFICER:

Mr. Moore reminded those present that Howard County has been without a Veterans Service Officer for several months. The Veterans Service Office has continued to service the Veterans of Howard County and Mr. Moore expressed appreciation to Ms. Selma Bliss and the rest of the office. The Board of Commissioners received eighteen resumes for the Service Officer position and selected five to interview. The interviews were conducted last Wednesday (November 14) and the Board has made a selection. Commissioner Wyman introduced Col. Ross Waltemath as Howard County’s Veteran Service Officer. Col. Waltemath is retired and his most recent position was as a Director of J-9 Civil Military Operations, responsible for State Service Member and family support programs. Mr. Waltemath supervised thirteen (13) departments responsible for veterans support, family support, deployment cycle services, employment support, crisis intervention, suicide prevention, funeral honors, and outreach services. Mr. Wyman believes the veterans of Howard County will benefit from his experience.

Col. Waltemath is “...honored to be given this opportunity” and would “...like to take care of the folks that are in my own county, and the veterans...”.

Mr. Wyman also thanked Col. Waltemath for his thirty years of active Army service to this country. That appreciation for service was given to all the veterans in attendance. Gold Star Mother, Terry Rose, was also recognized for her family’s sacrifice.

Commissioner Thompson took this opportunity to thank former Service Officer Bob Ladd for his service to Howard County Veterans.

A motion was made by Mr. Wyman to approve and appoint Col. Ross Waltemath as the Howard County Veterans’ Service Officer. The motion was seconded by Mr. Thompson and carried.

Further comment included Mr. Ken Fisher, Commander of Post 1152: he commended the Board for their “perfect choice” in Col. Waltemath. He’s considered a “perfect fit” for the County. Col. Waltemath is also a member of post 1152, and was welcomed by Mr. Fisher.

HIGHWAY DEPARTMENT:

Highway Department Engineer / Superintendent Ted Cain submitted the Annual 2013 Bids for Materials and Supplies as follows:

Item #1, Pre-cast and Pre-stressed Beams	No Bids Received
Item #2, Various Grades of Asphalt, Emulsion, and Tar	Asphalt Materials Inc Mohr Construction Co Inc
Item #3, Bituminous Coated Aggregate, Asphalt, Concrete, Binder and Top	Mohr Construction Co. Inc
Item #4, Stone	Hanson Aggregate Midwest

Item #5, Equipment Rental

Item #6, Diesel Fuel

Martin Marietta Materials
IMI
No Bids Received

North Central Co Op

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.

SHERIFF DEPARTMENT:

Sheriff Rogers submitted a Change Order from Terstep, for the Criminal Justice Center Renovation Project and Technology Upgrade. The change order is for thirty more feet of pipe, and change of size of pipe (due to plumbing issues), in the amount of \$3,044. A motion was made by Mr. Wyman to approve the Terstep Change Order, in the amount of \$3,044.00 to address the plumbing issue, and authorize the President to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Thompson and carried. Sheriff Rogers commented that the work on the renovation project is going well: the workers are keeping the facility as clean as possible, and are working with security concerns.

PLAN COMMISSION:

Plan Commission Director Greg Sheline informed the Board, that in review of the Flood Mitigation Excavation Bids, several discrepancies in the bids were found. Mr. Sheline believes the project should be re-bid in January of 2013. A motion was made by Mr. Wyman to reject the Demolition Bids for the Flood Mitigation properties, and re-bid the project in January of 2013. The motion was seconded by Mr. Thompson and carried.

PROBATION:

Chief Probation Officer Don Travis submitted a Lease Agreement with Leasenet (Huntington National Bank) for the Probation server located at the Administration Center. This is a 36 month term lease with quarterly payments of \$1,800.00. Attorney Murrell has reviewed the Agreement and made changes; then sent it back to Leasenet. Mr. Murrell recommends the Board approve the agreement subject to Mr. Travis and Mr. Murrell negotiating the final Agreement. A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to approve the Server Lease with Leasenet, subject to Mr. Travis and Mr. Murrell's review and negotiating of an acceptable document, and authorize the President to sign on behalf of the Board of Commissioners. Mr. Tribby has also reviewed the agreement and give's his recommendation.

IN THE MATTER OF FLOOD MITIGATION FINANCIAL UPDATES:

Mr. Moore submitted letters to Ms. Jan Crider and Mr. Brian Phillips that include claim #2 and updated financial figures for the Flood Mitigation Grant. A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to approve the Flood Mitigation Updated Financial letters and authorize Vice President Wyman to sign the letters on behalf of the Board of Commissioners. President Moore abstained from voting.

At the last regular Commissioner meeting Mr. Sheline submitted a letter confirming the Joint Plan Commission's wish to participate in the Flood Mitigation Update Plan, and approve the application for a grant to fund the project (*please refer to page two, item 6, "In The Matter of Departmental Reports, Plan Commission" of the Regular Meeting dated November 5, 2012*). While Mr. Sheline was reviewing the letter before sending, he found, in small print, a reference to "...a Local Match". Mr. Sheline was never told of a local match in reference to a grant for this project. He will research this further before sending the letter confirming the Plan Commission's commitment to the project.

IN THE MATTER OF THE NEW U.S. 31 OVERLAY DISTRICTS PLAN:

At the September 17th meeting, Mr. Sheline invited the Board of Commissioners to the November 20, 2012 Plan Commission Meeting, which will also be a Public Hearing to submit the Overlay Districts Plan for the New U.S. 31 (*please refer to page three, item two, "In The Matter Of Plan Commission Issues", of the Regular meeting dated September 17, 2012*). Mr. Sheline now informs the Commissioners that the announcement for the Hearing was not published in time to hold the Hearing. Mr. Sheline invites the Board of Commissioners to the December 18th Plan Commission Public Hearing to submit the Overlay Districts Plan, at 7:00 p.m. in Hearing Room 101 of the Government Center. This will be a Special Session of the Board of Commissioners.

IN THE MATTER OF THE DARROUGH CHAPEL PROJECT ISSUES:

Stormwater Coordinator Greg Lake and Grant Administrator Tina Henderson submitted Claim CF-11-208 which includes two invoices. The first invoice is from Keith Sullivan Excavating, in the amount of \$132,159.63; the second invoice is from Tina Mendenhall and Associates, in the amount of \$5,000 for administration costs. This claim will be submitted for reimbursement, for the total amount of \$137,159.63. A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to approve Claim #CF-11-208, subject to review by Mr. Lake and Attorney Murrell, and authorize President Moore to sign the claim on behalf of the Board of Commissioners. Mr. Lake informed the Board that the Darrough Chapel project is doing well. There is one line left to install, for the complete line, and they are working on the completion of their current line. On the south half of Markland, all but one line have been tested. They will be going door-to-door in the Darrough Chapel neighborhood for those individuals who are ready to be hooked into the system.

Ms. Mendenhall submitted updated financial information concerning the Darrough Chapel Sanitary Sewer Project and including invoices from the following contractors for the project: Keith Sullivan Excavating, Mendenhall & Associates, and Fleis & Vandenbrink Engineering Inc.

IN THE MATTER OF THE SITZES PROPERTY MULTI-PARTS AGREEMENT:

Mr. Lake submitted a Multi-Party Agreement pertaining to the Unsafe Property located at 3315 West County Road 50 South, Kokomo, Indiana and owned by Wanda Sitzes. This property has been abandoned and has drainage tile damage that has created health issues for the whole neighborhood. This agreement is between the following parties (neighbors working together) for the abatement of a health hazard and allows the Howard County Health Department to enter the Sitzes property to abate the health violation and attach the costs. The costs will be shared by:

Herbert and Estelle Clark	\$ 1,500.00
Connie Pavey	\$ 1,500.00
Mark Ramey	\$ 500.00
Mike Crowell	\$ 1,000.00
Jason & John Johnson	\$ 1,000.00
Steve Price	\$ 400.00
Michael Shade	\$ 1,000.00
Howard County Board of Commissioners	\$ 4,600.00 (not to exceed)
<u>Total Blazer Quote</u>	<u>\$11,500.00</u>

Non-participating Members:

Terry Cole
Lloyd Mikesell
Tsarai Chimhanda

The amount of the Commissioner's contribution, not to exceed \$4,6000.00 will be paid from the Unsafe Properties Line item in the EDIT Fund (500-03120.01).

Mr. Wyman gave special recognition to Ms. Connie Pavey for her work in coordinating efforts to bring the neighbors together to help solve this health issue. A motion was made by Mr. Wyman to approve the Multi-Party Agreement to Abate a Health Hazard at the Wanda Sitzes property located at 3315 W County Road 50 S, Kokomo, Indiana, 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 OPEN ENROLLMENT:

Mr. Wyman commended the Personnel Office commenting that the Wellness Screening ran very smoothly, and he heard a lot of positive comments. Personnel Director Wanda McKillip informed the Board that this year's Open Enrollment for Anthem Health Insurance will be done on-line. Employees who choose to take the health insurance will have three (3) weeks in which to sign up. Sign-up packets will be sent out to employees this week. The Personnel Office will be taking a lap top to County offices, assisting employees with the on-line process.

Ms. McKillip is currently working on Commissioner Appointments and will be submitting them at a future meeting.

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 payable November 21 and 30, 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:** Commissioner Operating Claims, payable today, in the amount of \$349,541.62, were submitted and approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.
3. **Monthly Reports:** The Treasurer's Monthly Report for the month ending Oct. 31, 2012, and the Weights & Measures Monthly Report for the month of October 16 – November 15, 2012, were submitted. A motion was made by Mr. Wyman to accept the reports. The motion was seconded by Mr. Thompson and carried.

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 and Scheele & Associates for consulting services for the employee handbook, in the amount of \$2,091.25. The invoice was approved for payment on a motion made by Mr. Wyman and seconded by Mr. Thompson.
2. **Barnes & Thornburg Invoice:** Mr. Murrell submitted an invoice from Barnes & Thornburg, in the amount of \$24,949.64, for legal services in connection with general finance advice concerning the Wind Project. Mr. Murrell commented that we are waiting for the \$30,000 reimbursement check from e-ON. The Barnes & Thornburg invoice was approved for payment on a motion made by Mr. Wyman and seconded by Mr. Thompson.
3. **New Purchase Appraisal:** At the October 23rd Council Meeting, the County Council approved Resolution No. 2012-HCCR-31, a resolution declaring an interest in purchasing real estate located at 213 S. Main Street (*please refer to pages one and two, "In The Matter Of Resolution No. 2012-HCCR-31" of the Regular Council Meeting minutes dated October 23, 2012*). The resolution also approved the employment of two appraisers to do separate appraisals of the property. At the November 5th Commissioner meeting the Commissioners approved the employment of Phil Johnston of Johnston Taylor, and Michael Lady, of Indianapolis (*please refer to page four, item four, "In The Matter Of County Attorney Issues" of the Regular Commissioner meeting dated November 5, 2012*). Mr. Johnson has declined and Mr. Christopher Jarvis is available to do the appraisal. Mr. Murrell is still working with Michael Lady. There is a possibility he will have to decline and Mr. Murrell suggests that a motion be structured to allow the President or Vice President to employ another appraiser if Michael Lady declines. A motion was made by Mr. Wyman to replace Phil Johnston with Mr. Christopher Jarvis, as one of the appraisers for the property located at 213 South Main Street, and authorize Mr. Moore or Mr. Wyman to employ another appraiser in the event Michael Lady cannot meet the November 28th deadline. The motion was seconded by Mr. Thompson and carried.

IN THE MATTER OF COMMISSIONER ISSUES:

COMMISSIONER THOMPSON:

"Thanks for Voting,

At our last meeting, I brought up the subject of voter suppression that was being propagated in several states throughout the country, and encouraged everyone to vote. Fifty-nine percent of registered voters in Howard County voted.

I would like to thank all the workers in the Clerk's Office, the Voter Registration Office, and all the poll workers for their hard work and dedication on this election. I would also like to give special recognition to John, Donald, Paul, Chris and Karl.

Thanks for all your help."

COMMISSIONER WYMAN

1) Mr. Wyman also expressed appreciation to election workers for their work during the general election on November 6, 2012. Howard County did not have the problems that some other counties had. That is due to effective Clerk and IS departments, and great volunteers. It is a team effort.

2) Mr. Wyman submitted a request from the Greater Kokomo Economic Development Alliance, to use the roof of the Courthouse to shoot fireworks on New Year's Eve, 2012, with the usual supervision of Mr. Reed and the Maintenance Department. GKEDA will submit a documentation plan and Insurance policy. A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to approve the request for use of the Courthouse roof from the Greater Kokomo Economic Development Alliance, subject to plan documentation and insurance. The motion was seconded by Mr. Thompson and carried.

COMMISSIONER MOORE:

1) The EMA Calendars and Activity listings for October and November, 2012, were submitted and accepted on a motion made by Mr. Wyman and seconded by Mr. Thompson.

2) IDEM Notice for the Chrysler Group LLC – Indiana Transmission Plant, proposed air permit #067-31575-00058. Howard County was noted as an entity that could potentially be affected by the proposed air permit. Howard County is invited to make comment. The notice was received on a motion made by Mr. Wyman and seconded by Mr. Thompson.

3) A shout-out HAPPY BIRTHDAY to Mrs. Moore, mother to Commissioner Tyler Moore.

IN THE MATTER OF PUBLIC COMMENT:

President Moore opened the floor for public comment as follows:

Jerry Paul, 1326 S Webster St, Kokomo, Indiana: Mr. Paul acknowledged that the Courthouse and the Administration Center flies the POW flags, but, does the remainder of the County owned buildings fly the flag? Buildings and Grounds Superintendent Scott Reed will make sure the other buildings are flying the flags. Mr. Paul commented that if we don't have enough flags, more are available from the VFW.

Ken Fisher, Commander of Post 1152: Mr. Fisher asked for an official response to the current progress of the Jackson Street project. This project is housing for homeless veterans, and Mr. Wyman commented that the Commissioners are in support of the project. Their initial role in this project was to see that the tax sale property was transferred properly, so the building could be built at that location, by Resolution No. 2012-BCCR-7 (*please refer to page four, item four, "In The Matter Of County Attorney Issues", of the Regular Meeting minutes dated April 16, 2012*). The construction of the building is to be funded through a grant. The Commissioners are not a part of the grant or building process. Ms. Judy Dennis at Family Service Association is the person Mr. Fisher could contact for more information.

On behalf of Post 1152, of over 1,000 members, Mr. Fisher requested that the Board of Commissioners consider a monetary gift to help move the project to its completion. Going into the winter season there is an immediate need to house homeless veterans. These veterans have served their Country; "...they deserve the backing and support of the county".

Mr. Moore commented that they would take this request under advisement.

*There being no further business to come before the Board of Commissioners at this time,
the meeting was adjourned at 9:33 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 November 19, 2012