

## **HOWARD COUNTY BOARD OF COMMISSIONERS MEETING JANUARY 3, 2012**

The Howard County Board of Commissioners met in Regular Session On Tuesday, January 3, 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 Tyler Moore. Commissioner Bill Thompson led in the Pledge of Allegiance and Commissioner Wyman offered a word of prayer.

### **IN THE MATTER OF REORGANIZATION ACTIVITY:**

A motion was made by Mr. Wyman to appoint Commissioner Tyler Moore as President, Commissioner Wyman as Vice President, and Commissioner Thompson as Member. The motion was seconded by Mr. Thompson and carried. Let it be recorded that the Howard County Board of Commissioner Offices for the year of 2012 are as follows:

President:	Tyler O. Moore
Vice President:	Paul G. Wyman
Member:	William Thompson

### **IN THE MATTER OF PUBLIC COMMENT:**

President Moore opened the floor for public comment:

Ken de la Bastide, reporter at the Kokomo Tribune: Mr. de la Bastide asked if President Moore would be offering a State of the County Address, this year. President Moore responded that his plans were to present the Address at the January 24<sup>th</sup> Council Meeting.

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

#### **RECORDER:**

Recorder Brook Cleaver submitted an Agreement for Contract Services between Howard County and Chief Deputy Recorder Karen Klein. The service includes back indexing for the indexing project and will be paid from the Recorder Perpetuation Fund. Ms. Klein has been working under this agreement for the past year, and this new agreement is effective January 3, 2012. Discussion ensued concerning the issue of contracting the indexing project outside of the Recorder's Office, to be more cost effective. At the conclusion of discussion a motion was made by Mr. Wyman to accept the Agreement for Contract Services, and table any action on the contract until the January 17<sup>th</sup> meeting, allowing Ms. Cleaver the opportunity to research the cost of contracting the service outside of the Recorder's Office. The motion was seconded by Mr. Thompson and carried on two aye votes and one nay vote by President Moore.

#### **MAINTENANCE DEPARTMENT:**

Buildings & Grounds Superintendent Scott Reed informed the Commissioners that he has not received a Generator Quote from Huston Electric (for Howard Haven), even though Huston was to submit a quote for today's meeting. He requests that the Commissioners allow him to make the purchase from Lowdermilk Electric (*please refer to page two, "Maintenance", of the Regular Meeting minutes dated December 5, 2011, and page two, "In The Matter Of The Howard Haven Generator Purchase", of the Regular Meeting minutes dated December 19, 2011*). It was the consensus of the Board to approve the purchase of a generator for Howard Haven from Lowdermilk Electric.

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

At the December 19<sup>th</sup> meeting the Board of Commissioners approved a new contract with A T & T for long distance service (*please refer to page two, Maintenance, "In The Matter of Departmental Reports", of the Regular Meeting minutes dated December 19, 2011*). There was a Fee Schedule that needed to be signed, and Commissioner Moore asks that his signature on this document, be ratified. A motion was made by Mr. Wyman to ratify President Moore's signature on the Fee Schedule of the AT & T Long Distance Contract. The motion was seconded by Mr. Thompson and carried.

**IN THE MATTER OF A ROAD USAGE DOCUMENT FOR THE WILDCAT WIND FARM EXPANSION:**

Mr. Andy Melka from EON Climate Renewable was in attendance to submit a Road Usage Document needed for the Wildcat Wind Farm Expansion. This Agreement will give the Wind Farm project permission to use 2 miles of the Tipton County/Howard County line road for heavy equipment used in any expansion activity. Mr. Murrell has reviewed this agreement and requested one change. Highway Engineer Ted Cain has reviewed and approved the agreement. Provisions on repairing road damage have been addressed in the contract. A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to approve the Agreement for Road Usage from Wildcat Wind Farm II, LLC. The motion was seconded by Mr. Thompson and carried.

**IN THE MATTER OF A REQUEST FROM COUNCILMAN JOHN ROBERTS:**

Howard County Councilman (District 1) John Roberts submitted and read from a letter, a request to address two issues concerning the residents of the Darrough Chapel neighborhood (north of State Road 22). Those issues are (1) narrow streets that need widening and (2) rainwater that does not drain away from properties. It has been reported to Mr. Roberts that residents and their visitors have difficulty driving the streets, and that one vehicle has to drop off the side of the pavement when two vehicles share the road. Other problems reported include difficulty in seeing the unmarked roads at night, a corner street light post that has been hit many times, having to drive in a person's yard, and the prohibition of school busses in going in reverse – other vehicles have to move. Concerning surface water drainage, it has been reported that, during heavy rains, some properties experience surface water coming into their ductwork and causing excessive moisture, and some damage, in the house. Mr. Roberts named several residents and their difficulties. It is not certain if the availability to City Sewer hook-ups, this year, will solve the surface water issues. Mr. Roberts concluded his presentation with the request that the Board of Commissioners direct Howard County Highway's Engineer to "...prepare now to widen the streets of Darrough Chapel north of State Road 22, to a right and proper width that will allow traffic to flow smoothly and safely, within one's normal driving expectations, after the new city sewer hookups are completed. I also respectfully ask that at the same time that drainage of rainwater be enhanced to flow from high ground to low ground in a way that promotes surface water to drain safely, naturally, and effortlessly from the community." Mr. Roberts does not think it's asking too much to ask Mr. Cain to, "...re-prioritize his priorities on how he spends his budget...". Discussion ensued that included, (1) how a project like that would be funded; (2) would this open the door to widening other roads in Howard County(?); (3) the issue of right-of-ways and utility easements; (4) will the sewer hook-up help with surface water drainage; (5) the decrease in Highway funds from the State; and (6) who will pay for the Engineering Survey. At the conclusion of discussion, it was the consensus of the Commissioners, that before contracting for any comprehensive engineering study, Superintendent Cain should give the Commissioners a "ball park" estimate of the costs association with widening the roads.

\*\* A complete copy of Mr. Robert's remarks is on file in the Auditor's Office and can be reviewed.

**IN THE MATTER OF CLAIMS AND REPORTS:**

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

1. **Salary Claims:** Salary, Hourly and Overtime claims payable January 6 and 13, 2012, in the amount of \$346,348.40 each, were approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.
2. **Pointdexter Claim:** Ms. Wells submitted an early pay claim for Pointdexter, in the amount of \$17,639.32, for work done on the Kitty Run Project. This claim was signed by President Moore, and his signature needs to be ratified. A motion was made by Mr. Wyman to approve the claim and ratify the President's signature. The motion was seconded by Mr. Thompson and carried.
3. **Certificate Sale Update:** Attorney Murrell informed the Board of Commissioners that he and the Auditor's Office are still working out the details of the proposed Certificate Sale with SRI and the City of Kokomo. We are not ready to hold the sale, yet, and it may have to be rescheduled from the March 12<sup>th</sup> date. Legal issues have to be researched and all of the four hundred seventy-five properties have issues with liens. These issues have to be reviewed with the State Board of Accounts for both County and City of Kokomo entities. Mr. Murrell is currently looking at the legality of adding the liens to the purchase price.

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

Attorney Larry Murrell submitted the following issues for the Board's information and approval:

1. **Confirm Employment:** On January 4, 2011, the Board of Commissioners approved a two-year contract with Mr. Larry Murrell for the duties of County Attorney and Coordinator for the Howard County Board of Commissioners and the Howard County Council. A contract was also approved on that day with Mr. Alan Wilson for the two-year services as Assistant County Attorney, as the legal representative for the Howard County Plan Commission, Howard County Board of Zoning Appeals, Howard County Board of Health, and all matters pertaining to the County's Animal Control Ordinance. A motion was made by Mr. Thompson to confirm the employment of Lawrence R. Murrell as County Attorney and Alan D. Wilson as Assistant County Attorney through December 31, 2012, in accordance with the terms of their respective Employment Agreements dated and approved January 4, 2011, which are incorporated by reference in this motion. The motion was seconded by Mr. Wyman and carried.
2. **Abel Screening Contract:** On behalf of Kinsey Youth Center Director Brent Kelley, Mr. Murrell submitted an Agreement with Abel Screening, Inc. for the Diana Screen Access License and Testing Services software. This software screening test is to detect the propensity an employee might have for risk of misconduct with children. The language of the agreement has been approved by both Mr. Murrell and Abel Screening. A motion was made by Mr. Wyman to approve the Access License and Testing Services Agreement with Abel Screening, and authorize the President to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Thompson and carried.
3. **Taft Invoice:** Mr. Murrell submitted the second invoice with Taft Stettinius & Hollister LLP, in the amount of \$566.00 for services rendered for the review of the Employee Handbook. The invoice with Taft Stettinius and Hollister LLP, in the amount of \$566.00, was approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.

**IN THE MATTER OF COMMISSIONER ISSUES:**

**COMMISSIONER WYMAN:**

Mr. Wyman thanked the Greater Kokomo Economic Development Alliance for a great downtown New Year's Eve event. He recognized the efforts of the Technokats for the pyrotechnic display during the ball drop, and the Sheriff's Department and City Police for their efforts with crowd control.

On behalf of the New Business Grant Committee, Mr. Wyman submitted their recommendation to approve a \$5,000 New Business Grant for Goblin Games, located at 113 East Sycamore Street. A motion was made by Mr. Thompson to accept the recommendation of the New Business Grant Committee and approve the \$5,000 grant for Goblin Games, located at 113 East Sycamore Street, subject to a Memorandum of Understanding to be submitted at the January 17<sup>th</sup> meeting. President Moore vacated the chair to second the motion and the motion carried with two aye votes. Mr. Wyman abstained from the vote.

**COMMISSIONER MOORE:**

Mr. Moore received an approval letter of the \$600,000 Community Development Block Grants for the Darrough Chapel Project. Mr. Moore will submit the letter to Attorney Murrell and Stormwater Coordinator Greg Lake for their review and submission at the January 17<sup>th</sup> Commissioner meeting.

Mr. Moore wished all a Happy New Year. He appreciates the opportunity to serve as the President of the Board.

Mr. Moore thanked the Sheriff and his staff, for assisting with the Occupy Kokomo Demonstration event on December 30<sup>th</sup>. The CJC committee will be reviewing Courthouse Security rules.

Commissioner Committee appointments, previously submitted to the Board of Commissioners, were reviewed and amended to show Commissioner Tyler Moore appointed to the Common Wage Committee in lieu of Commissioner Bill Thompson. A motion was made by Mr. Wyman to approve the Commissioner Committee Appointments as amended. The motion was seconded by Mr. Thompson and carried.

*There being no further business to come before the Board at this time, the meeting was adjourned at 5:00 p.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 Board of Commissioner Meeting January 3, 2012