

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING APRIL 2, 2012

The Howard County Board of Commissioners met in Regular Session on Monday, April 2, 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 Captain Jerry Asher 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 MINUTES:

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

The minutes of the March 26, 2012 Administrative Meeting were submitted and reviewed. Commissioner Wyman and Commissioner Moore (via phone) received information and recommendations from Personnel Director Wanda McKillip and Benefits Rep Brittany Dockemeyer regarding deferred compensation plans for county employees. The minutes were approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.

The minutes of the March 27, 2012 (9:00 a.m.), Joint Executive Session of the Howard County Board of Commissioners and Howard County Council, were submitted and reviewed. The purpose of the meeting was to conduct interviews and/or negotiations with industrial or commercial prospects or agents thereof. A motion was made by Mr. Wyman to approve the minutes of the Joint Executive Session. The motion was seconded by Mr. Thompson and carried.

The minutes of the March 27, 2012 (3:00 p.m.), Executive Session were submitted and reviewed. The purpose of the meeting was for discussion of strategy with respect to litigation which has been threatened in writing. The minutes were approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.

The minutes of the March 29, 2012 Administrative Meeting were submitted and reviewed. Commissioners Tyler Moore, Paul Wyman and Bill Thompson received information and recommendations regarding plans and specifications for the proposed renovation and security electronics upgrade at the Howard County Criminal Justice Center. The meetings minutes were approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.

IN THE MATTER OF PUBLIC COMMENT:

Commissioner Bill Thompson read the following comment:

“April is National County Government month. Many of you may remember that it was twenty-five years ago on the 14th of this month that our County Courthouse was bombed. Employees working in the Courthouse that day still have vivid memories of what transpired; there were several injuries, including then Howard County Sheriff J. D. Beatty and Captain Jack Adams, Kokomo Police Department. It was a “gray” day.

Actions taken by County employees and first responders, that day, are noteworthy; the employees, Sheriff’s Department, Kokomo Police and Fire Departments, Emergency Management and Medical personnel were very professional. I for one appreciate the great job these folks do every day; by the way, it was former County Commissioner Dave Trine’s very first day on the job as a KPD officer. To date, our Courthouse is the only Courthouse in the state to actually experience a bombing.

On a side note, the bombing was a catalyst in bringing about our current, evolving, courthouse security plan. I agree with the action the County Council recently took by adding a third Courthouse security officer; these extraordinary men and women stand their post day after day providing security for both our citizens and valuable County properties. Employees and tax payers alike were well served by the Council’s action.

As we think about County Government this month and remember what happened twenty-five years ago, I ask that you keep our employees and their families in your thoughts and prayers. May God bless the citizens of Howard County.”

Commissioner Tyler Moore mentioned the schools that participated in National County Government Month, 2011, and informed the Board that several schools have scheduled tours at the Courthouse and the Administration Center, for this year, as well.

IN THE MATTER OF DEPARTMENTAL REPORTS:

PLAN COMMISSION:

Plan Commission Director Greg Sheline submitted Ordinance No. 2012-BCCO-8, (Case 1-CZ-12) a request to rezone property located at 4280 South County Road 250 West from RR (Rural Residential) to I1 (Low Intensity Industrial). The request is made by property owner Mark Rice (Rice Tree Company). This request received an unfavorable recommendation by the Plan Commission Board. Before introducing owner Mark Rice, Mr. Sheline commented that if the Board of Commissioners approves the rezone request, they do so with conditions or restrictions, due to the noise of the machines to be used. Mr. Mark Rice stepped to the podium and fielded questions from the Board of Commissioners. He proposes to create a mulching (recycling) center for his own use, and selling firewood. Mr. Rice wants to be a good neighbor and would comply with any restrictions put on the rezoning action. He's willing to put up a privacy fence and mounds of wood chips to act as sound barriers along the sides of the property. Discussion ensued and at its conclusion, a motion was made by Mr. Wyman to table the request until the next meeting, for further review of the proposed site. The motion was seconded by Mr. Thompson and carried.

PERSONNEL DEPARTMENT:

1) Personnel Director Wanda McKillip submitted an employee memo concerning the RepuCare Onsite Clinic, informing employees of the RepuCare meetings being held on Wednesday and Thursday, April 11 & 12, 2012. The Personnel office has also prepared employee packets that she would like to distribute during the week. The RepuCare clinic will still be at the Bell Street location. At the conclusion of her presentation, a motion was made by Mr. Wyman to approve the employee memo and its distribution this week. President Moore vacated the chair to second the motion. The motion carried on two aye votes. Commissioner Thompson did not vote.

There will be an Insurance Meeting on April 10th.

2) The Howard County Community Corrections Advisory Board has two members whose appointments will expire soon. Ms. Anita Wooldridge's term expires April 30, 2012, and Mr. Napoleon Leal's appointment expires June, 2012. Both members are willing to serve another term. A motion was made by Mr. Wyman to re-appoint Ms. Anita Wooldridge and Mr. Napoleon Leal to another four year term on the Community Corrections Advisory Board.

3) The appointment to the Greater Wabash River Research and Conservation and Development Council has not yet been filled. Surveyor Dave Duncan and Stormwater Coordinator Greg Lake are under consideration for this appointment. It was the consensus of the Board, at this time, to table the appointment request until the April 16th meeting.

4) The Board of Commissioners' appointment of Jay Freeman to the Howard Regional Hospital Board expires June 30, 2012. No action was taken at this time.

5) A letter was prepared confirming the selection of Mendenhall and Associates as the Grant Administrator of the Darrough Chapel Project. A motion was made by Mr. Wyman to approve the letter confirming Mendenhall and Associates as the Grant Administrator for the Darrough Chapel Project and authorize the President to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Thompson and carried.

INFORMATION SYSTEMS:

At the March 19th meeting Health Department Director Kent Weaver submitted a request concerning his nursing staff's WIFI needs at on-site vaccination clinics (*please refer to page four, "DEPARTMENTAL REPORTS, Health Department", of the Regular Meeting minutes dated March 19, 2012*). Information Systems Director Terry Tribby has contacted our Cell and Data provider Verizon Wireless to purchase a MIFI Data Device. The cost is \$29.99 per month and will allow the Health Department to connect to the State Health Department's CHIRPS program. This cost will be included on the cell phone account that includes county and Sheriff Cell phones, from the Commissioner's account line item. A motion was made by Mr. Wyman to approve the MIFI

data device for the Health Department's On-site clinics, to be paid from the Commissioners' Communications line item, in the amount of \$29.99 per month. The motion was seconded by Mr. Thompson and carried.

Mr. Tribby also informed the Board the Verizon 4G is coming soon. This will be a huge technology upgrade for Howard County.

RECORDER:

On behalf of Recorder Brook Cleaver, Attorney Larry Murrell submitted a three year extension on the Fidler Software Recording System Agreement. This agreement extends the Software License Agreement for the Recorder's office to December 31, 2014. The Extension Agreement with Fidler Technologies was approved on a motion made by Mr. Wyman and seconded by Mr. Thompson, and the President was authorized to sign the agreement on behalf of the Board of Commissioners.

SHERIFF DEPARTMENT:

1) Captain Harold Vincent submitted the Projected Costs for the Security Electronic Upgrade and Renovation Project for the Howard County Criminal Justice Center. Plans for the renovation of a rec area to a 36 bed facility were submitted at the February 6th meeting (*please refer to page three, "DEPARTMENTAL REPORTS, Sheriff Department" of the February 6, 2012 Regular Meeting minutes*). The cost of the original renovation proposal was \$210,000 to \$235,000. Because secure electronics have to be included (intercoms, etc, because of the passing of the Prison Rape Elimination Act) the cost has been raised to \$400,000 to \$425,000. The Sheriff's Department budgeted \$300,000 for a Secure Electronics Upgrade Project. That will become a part of the renovation project and the total costs will be \$675,000 to \$725,000. \$300,000 has already been budgeted in the Sheriff's Cum Cap Building Upgrade line item and the Sheriff can commit to \$50,000 from the Inmate Technology funds from the Inmate Phone System. That leaves a total of up to \$375,000 of funds to be determined. The Board of Commissioners reviewed the current Operating Balance of County Funds, and determined that the Jail and Juvenile COIT Fund could support the \$375,000 needed for the CJC Renovation Project. A motion was made by Mr. Wyman to approve the \$50,000 from the Inmate Phone System (Inmate Technology), and \$375,000 from the Jail and Juvenile COIT Fund (252). The motion was seconded by Mr. Thompson and carried.

Attorney Larry Murrell submitted an amended contract with DLZ Indiana, LLC in the amount of \$65,000 (\$40,000 for the Security Electronics Upgrade and \$25,000 for the CJC Renovation), for plans and specifications, and bidding and construction management. A motion was made by Mr. Wyman to approve the amended contract with DLZ Indiana, LLC, as submitted, and authorize the President to sign on behalf of the Board of Commissioners.

Mr. Murrell submitted the first invoice from DLZ, in the amount of \$18,750.00 for professional services related to the Howard County Jail Renovation Project. A motion was made by Mr. Wyman to approve the \$18,750.00 invoice to be paid from the \$300,000 budgeted in the Cumulative Capital Fund (150-000-4724-05). The motion was seconded by Mr. Thompson and carried.

2) President Moore submitted copies of the E-911 Land Line Revenue amounts for the years of 2009 – 2011, to be submitted to the Indiana Statewide 9-1-1 Board. These reports and amounts were prepared by Dispatch Coordinator Nick Capozzoli, and he is asking the Auditor and the Board of Commissioners to review and confirm the report. A motion was made by Mr. Wyman to approve and confirm the E-911 Land Line Revenue Report to the Indiana State-wide 9-1-1 Board, and authorize the President to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Thompson and carried.

TREASURER OFFICE:

Treasurer Martha Lake submitted a claim for postage to Proforma, for the tax bills being sent out. A claim has been made and she asks that the Board approve the claim for early payment so the tax bills can be mailed immediately. A motion was made by Mr. Wyman to approve the early payment of the Proforma postage claim, in the amount of \$20,000. 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 March 23 and 30, 2012, in the amount of \$346,081.33 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 \$403,825.54, were submitted and approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.
3. **Ratify President's Signature:** Ms. Wells submitted two postage claims that Mr. Moore had signed for early payment. These claims were for postage to Shearer Printing for the mailing of Commercial Personal Property postcards from the County Assessor and Center Township Assessor Offices. Mr. Moore's signatures were ratified on a motion made by Mr. Wyman, seconded by Mr. Thompson and carried.
4. **Early Pay Claim for Juvenile Probation:** Juvenile Probation and Kinsey Youth Center submitted several travel claims for early payment of the actual conference. A motion was made by Mr. Wyman to approve the early pay claims for conference travel for the Juvenile Probation and Kinsey Youth Center Departments, and authorize the President to sign on behalf of the Board of Commissioners'. The motion was seconded by Mr. Thompson and carried.
5. **VSO Report:** The City & County Veterans' Service Office Monthly Report, for the month of February, 2012, was submitted and approved 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 Board's information and approval:

1. **Confidentiality Agreement With RepuCare:** Mr. Murrell submitted the Confidentiality Agreement with RepuCare for the Commissioners' approval. A motion was made by Mr. Wyman to approve the Confidentiality Agreement with RepuCare, and to authorize the President to sign on behalf of the Board of Commissioners. Mr. Moore vacated the chair in order to second the motion and the motion carried with two aye votes and one abstention from Mr. Thompson.
2. **Updated Letter of Engagement:** Mr. Murrell submitted an updated Letter of Engagement with Crowe Horwath LLP, for certain professional services as directed by the County's management or representatives. Those services would include accounting assistance, budgetary assistance, financial advice, utility consulting, and redevelopment consulting. Mr. Murrell also submitted a Project Assignment with Crowe Horwath for the wind farm project, in an amount not to exceed \$5,000. A motion was made by Mr. Wyman to approve both agreements with Crowe Horwath LLP, the assignment contract not to exceed the amount of \$5,000, and authorize the President to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Thompson and carried.
3. **Mortgage Release:** Mr. Murrell informed the Board that as a part of the Chrysler Bankruptcy Tax Agreement, to secure Howard County's interest in the agreement, Chrysler granted Howard County a mortgage on all Chrysler property in Howard County. Chrysler is planning to convey about three acres to the State of Indiana for the US 31 Highway project. The property needs to be clear of any lien. Mr. Murrell has prepared two Partial Release of Mortgage statements for Howard County, releasing their interest in the three acres. This does not diminish Howard County's security. These are two separate mortgages on the same three acres of land. A motion was made by Mr. Wyman to approve both Partial Release of Mortgages for transfer to the State of Indiana. The motion was seconded by Mr. Thompson and carried.

IN THE MATTER OF COMMISSIONER ISSUES:

COMMISSIONER THOMPSON:

April 5, 2012, will be the second birthday of the Citizens Consolidation Committee (CCC). They are still meeting but the Committee has undergone several changes.

COMMISSIONER WYMAN:

Commissioner Wyman thanked all the volunteers who participated in downtown beautification efforts, planting flowers and preparing baskets.

COMMISSIONER MOORE:

Mr. Moore informed the Board that Notice was received from Forsythe Civil Engineering Land Surveying Company, concerning a Public Hearing on behalf of Northwestern School, in reference to construction of a wind turbine. The Public Hearing will be at this evening’s Drainage Board meeting.

Mr. Moore acknowledged the following employees and thanked them for their years of service:

- | | |
|----------------|--|
| Five (5) Years | Patrick Williamson
Brian Cunningham
David Johnson
Laura Cannon
Donna Bowland
Michael Miller
Christopher Cramer
Mark Stover
Bernard Pauwee
Casey Gibson
Hans Pate |
| Ten Years | Brandi Jeffries
Daniel Parvin
Donna Walker
Justin Alter |
| Fifteen Years | Melissa Hall |
| 20 Years | Barb Tranbarger |
| 35 Years | Richard Miller |

President Moore acknowledged the attendance of Councilman John Roberts at this afternoon’s meeting.

There being no further business to come before the Board of Commissioners at this time, the meeting was adjourned at 5:20 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 April 2, 2012