

HOWARD COUNTY BOARD OF COMMISSIONERS SPECIAL SESSION JUNE 28, 2012

The Howard County Board of Commissioners met in Special Session on Thursday, June 28, 2012, at 3:00 p.m. in 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 and conducted by President Moore.

IN THE MATTER OF CONFIRMING THE BURN BAN:

On June 26, 2012, the Board of Commissioners signed a Disaster Emergency Proclamation imposing a Temporary Burn Ban in Howard County, as Ordinance No. 2012-BCCO-17. The Burn Ban became effective on June 26, 2012, and a motion was made by Mr. Wyman to confirm the action of the Commissioners, approving Ordinance No. 2012-BCCO-17. The motion was seconded by Mr. Thompson and carried.

IN THE MATTER OF DARROUGH CHAPEL BIDS:

Stormwater Coordinator Greg Lake and Mr. Martin Spees, from Fleis and Vandenbrink, submitted the Darrough Chapel Project bids and they were opened by the Board of Commissioners as follows:

1.	Atlas Excavating	\$711,520.00
2.	Dieckman Excavating	\$773,312.00
3.	F & K Construction	\$905,904.00
4.	Davidson Excavating	\$744,738.00
5.	Bowyer Excavating	\$768,748.00
6.	Keith Sullivan Excavating	\$634,057.15
7.	Harvey Construction	\$639,293.00

A motion was made by Mr. Wyman and seconded by Mr. Thompson, to receive the bids as submitted and take them under advisement for further review. The motion was amended and seconded to set a tentative date of July 16, 2012, at 8:30 a.m., the Regular Board of Commissioner Meeting, to award the bid. The motion carried.

Grant Coordinator Tina Henderson submitted a Federal Funding Accountability and Transparency Act Certification Form for the second Darrough Chapel Grant. This form certifies that Howard County **did not** receive 80% or more of its annual gross revenues in U.S. federal contracts, subcontracts, loan, grants, sub grants, and/or cooperative agreements ; and they **did not** receive \$25,000,000 or more in annual gross revenues from U.S. federal contracts, subcontracts, loans, grants, sub grants, and/or cooperative agreements. A motion was made by Mr. Wyman to approve the Federal Funding Accountability Act Certification form 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 RESOLUTION NO. 2012-BCCR-17 AND RESOLUTION NO. 2012 BCCR-19:

County Attorney Larry Murrell submitted Resolution No. 2012-BCCR-17, a resolution establishing policy prohibiting Nepotism; and Resolution No. 2012-BCCR-19, a resolution establishing policy requiring disclosure of contracts with relatives. Commissioner Thompson asked Mr. Murrell to confirm the departments that the Board of Commissioners appoint and supervise directly. They were confirmed as follows:

County Attorney and Assistant Attorney
County Highway Engineer / Superintendent
Buildings and Grounds Superintendent
County Home Superintendent (Howard Haven)
Personnel Director
Information Systems Director

Also confirmed, was the following definition of "Direct Line of Supervision", as "an elected officer or employee who is in a position to affect the terms and conditions of another individual's employment, including making decisions about work assignments, compensation, grievances, advancement or performance evaluation. The term does not include the

responsibilities of the County Council or Board of County Commissioners to make decisions regarding salary ordinances, budgets or personnel policy of the County.”

Discussion ensued concerning making the Nepotism Resolution more stringent in the future. Mr. Murrell confirmed that the policy has to meet the minimum standards set forth by the State, but could be made more stringent by the Board of Commissioners at any time. The definition of “Relative” means the following:

1. Spouse;
2. Parent or step parent;
3. A child or step child;
4. Brother, sister, step brother or step sister;
5. A niece or nephew;
6. An aunt or uncle; or
7. A daughter-in-law or son-in-law.

An adopted child of an individual is treated as a natural child of the individual. The terms “brother” and “sister” shall include a brother or sister by half blood (a common parent).

A motion was made by Mr. Wyman to approve Resolution No. 2012 BCCR-17 (Nepotism) and Resolution No. 2012-BCCR-19 (disclosure of contracts with relatives) as submitted. The motion was seconded by Mr. Thompson and carried.

IN THE MATTER OF CLOSING CERTIFICATE FOR HOWARD REGIONAL HOSPITAL:

Mr. Murrell submitted the Closing Certificate between Howard County and Howard Regional Hospital, and transfer of liability to Community North for the Commissioners’ approval. A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to approve the Closing Certificate between Howard County and Howard Regional Hospital.

IN THE MATTER OF EARLY PAYMENT CLAIMS:

Auditor Ann Wells submitted a Claim for Early Payment to Harris, in the amount of \$7,506.64. This is an annual maintenance agreement between Harris and the Treasurer of Howard County. A motion was made Mr. Wyman to approve the claim to Harris for early payment, in the amount of \$7,506.64. The motion was seconded by Mr. Thompson and carried.

A claim for early payment to the Indiana Association of County Councils was submitted in the amount of \$105.00 for Council Training registration fees. A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to approve the early payment of claims to IACC, in the amount of \$105.00.

IN THE MATTER OF MISCELANEOUS STORMWATER ISSUES:

Coordinator Greg Lake informed the Board that a meeting with Duke Energy is needed in order to confirm a power pole issue. Commissioner Wyman will contact Duke Energy to set the meeting date and the Commissioners and Mr. Lake will be notified.

In a cursory glance of the Darrough Chapel Bids, earlier in the meeting, Mr. Lake found that all the bids exceed the current construction costs allotment, by at least \$46,407. To make up the difference the Board needs to consider either the county covering that cost, or re-bidding the project. Originally, \$189,000 was budgeted from the Stormwater Fund to cover the county’s share of costs. Estimated costs now exceed \$300,000 before the power pole and project bid shortage.

At this time President Moore extended condolences to Larry Smith and his family, in the passing of Mr. Smith’s mother. Our thoughts and prayers are with them.

*There being no further business to come before the Board of Commissioners at this time
the meeting was adjourned at 3:33 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