

HOWARD COUNTY COUNCIL REGULAR MEETING OCTOBER 26TH, 2004

The Howard County Council met Tuesday, October 26th, 2004 at 7:00 p.m., in Room 338 of the Howard County Administration Center. Those present were Council President Richard Miller, Council Vice President James Papacek and Council Members Dwight Singer, Stanley Ortman, Leslie Ellison, Jeffrey Stout and Ronald Gilman. Also present were County Attorney Larry Murrell, Personnel Administrator Wanda McKillip, and Auditor Martha Lake.

The meeting was called to order by Sheriff Marshall Talbert and conducted by President Richard Miller.

The minutes of the September 28th, 2004 Regular Meeting been previously reviewed, were approved with the following correction, on a motion made by the Papacek, seconded by Mr. Singer and carried.

A comment made by Councilman Ellison was inadvertently omitted from page 5 of the minutes. Please add on page 5, after paragraph eight, under the topic In the Matter of U.S. 31 Project Update:

Mr. Ellison commented that some areas of the County have land and environmental problems that need to be resolved. He stated that he would like to the State address those concerns along with the U.S. 31 Corridor Project within the next ten years.

IN THE MATTER OF COUNCIL OPENING COMMENTS:

There were no comments expressed by Council members at this time.

IN THE MATTER OF ORDINANCE NO. 2004-HCC-34 -- ADDITIONAL APPROPRIATIONS:

Ordinance No. 2004-HCC-34 was read in full for the first time by Auditor Martha Lake, and read in full for the second time by President Richard Miller. Ordinance No. 2004-HCC-34 was presented and acted upon as follows:

APPROPRIATION ADDITIONS REQUESTED:

	<u>REQUESTED:</u>	<u>APPROVED:</u>
<u>001 HOWARD COUNTY GENERAL FUND:</u>		
<u>005 HOWARD COUNTY SHERIFF'S DEPARTMENT:</u>		
4724 Equipment	\$ 27,000.00	\$ 27,000.00

Recently Prosecutor James Fleming provided the Sheriff's Department with \$27,000.00 from Fund 198 Howard County Law Enforcement Fund. Sheriff Talbert stated he would like to use the money to equip each Sheriff Department Officer with a Taser X-26 (electronic intermediate weapon). Sheriff Talbert commented that the Kokomo Police Department equips their officers with tasers and they use them on a regular basis. The Sheriff proposes to purchase 30 taser units, 30 extended magazines, 4 cases of training aids, 40 taser belt clip attachments, and a software package to track the time and number of deployments.

Corporal Rob Walker conducted a presentation at the Commissioners' meeting on October 4th, 2004 on the taser and its capabilities. The taser is an alternate option to lethal or deadly force. The taser provides a safe and accurate measurement of force which reduces liability concerns.

Mr. Stout made a motion to appropriate \$27,000.00 to Line Item 4724 Equipment as requested. Mr. Singer seconded the motion and it carried.

<u>009 HOWARD COUNTY CORONER'S DEPARTMENT:</u>		
3121 Autopsy & Lab	\$ 10,000.00	\$ 10,000.00

Corner Brad Bray reported that five homicides occurred in Howard County this year. Each homicide costs \$1,500.00 to \$2,000.00 for autopsy and laboratory fees, compared to \$500.00 to \$750.00 for a normal autopsy. Mr. Bray said the money in the Autopsy and Laboratory Line Item has been depleted and \$10,000.00 is needed to pay outstanding bills.

Mr. Papacek made a motion to approve \$10,000.00 to Line Item 3121 in Account 009. Seconded by Mr. Singer, the motion carried.

<u>018 HOWARD COUNTY MAINTENANCE AND GROUNDS DEPARTMENT:</u>		
3152 Personnel Instruction	\$ 2,100.00	\$ 2,100.00

Maintenance and Grounds Superintendent Thomas Harrison explained the need for Maintenance Department Employees to have further knowledge regarding diagnostic software for the computerized HVAC equipment installed in the Courthouse. Because the warranty on the new HVAC equipment has expired, the Trane Company charges approximately \$100.00 per hour for repair work. Mr. Harrison proposes to send Jeff Berry and Allen Bargerhuff to a diagnostic training seminar sponsored by the Trane Company in Indianapolis on November 2 through 5, 2004. The training would cost \$1,050.00 for each employee, for a total of \$2,100.00. Mr. Harrison felt, in the long run, that the education would be a savings to the county.

Mr. Papacek made a motion to allocate \$2,100.00 to Line Item 3152 Personnel Instruction in Account 018, Howard County Maintenance and Grounds Department. Mr. Singer seconded the motion, which carried.

Mr. Papacek made a motion, seconded by Mr. Stout and carried, to appropriate \$4,963.00 to Line Item 3550 in Fund 104, as read.

105 HOWARD COUNTY ADULT PROBATION USER FEES FUND:

3215	Victim Impact Security	\$ 200.00	\$ 200.00
Total Adult Probation User Fees Fund:		\$ 200.00	\$ 200.00

Superior Court III Judge Douglas A. Tate was unable to attend the meeting and submitted a written request regarding the additional appropriation. Auditor Martha Lake explained this was a “cross request” between Judge Doug Tate and Chief Adult Probation Officer Gary Conwell. The money will be used to hire security at the bi-monthly sessions of the Victim Impact Panel. Judge Tate initially thought that Mr. Conwell was going to allow \$300.00 but the Adult Probation User Fees Fund specified only \$200.00.

Mr. Singer made a motion to approve an additional appropriation of \$200.00 to Line Item 3215 in Fund 105 as requested. Mr. Ortman seconded the motion, which carried.

106 HOWARD COUNTY HERITAGE MUSEUM/CONVENTION CENTER MORTGAGE CLEARING FUND:

3595	Mortgage Payment	\$ 140,000.00	\$ 140,000.00
Total Heritage Museum/Convention Ctr. Clearing Fund:		\$ 140,000.00	\$ 140,000.00

The Auditor explained this is a matter of housekeeping as directed by the State Board of Accounts to accommodate the County’s mortgage payments. The request is only slightly more than the amount needed for the four (4) installments at approximately \$33,000.00 each.

Mr. Papacek made a motion to appropriate \$140,000.00 in Line Item 3595, Fund 106 as read. Mr. Ortman seconded the motion, and it carried.

109 HOWARD COUNTY INNKEEPERS’ TAX FUND:

3500	Innkeepers’ Tax Clearing	\$ 500,000.00	\$ 500,000.00
Total Innkeepers’ Tax Fund:		\$ 500,000.00	\$ 500,000.00

This request is also a State Board of Accounts directed housekeeping item. The Auditor explained the tax is received on a monthly basis through the Howard County Innkeepers Tax Clearing Fund; 40% goes to the mortgage fund; and 60% goes to the Convention and Visitor’s Bureau.

Mr. Ortman made a motion, seconded by Mr. Shearer and carried, to appropriate \$500,000.00 to Line Item 3500 Innkeepers’ Tax Clearing in Fund 109 as requested. Mr. Ellison seconded the motion, which carried.

217 HOWARD COUNTY HEALTH DEPARTMENT TOBACCO SETTLEMENT FUND:

4720	Computer Equipment	\$ 3,000.00	\$ 3,000.00
Total Health Department Tobacco Settlement Fund:		\$ 3,000.00	\$ 3,000.00

(See pages 2-3, September 28th, 2004 minutes, “217 Howard County Health Department Tobacco Settlement Fund” for related discussion)

Executive Director Kris Conyers submitted a request for \$5,000.00 in Line Item 4720 Computer Equipment at the previous Council meeting for the Vital Records Imaging System Project. However, Information Systems Director Terry Tribby had advised that \$8,000.00 would be a more accurate figure. The above request represents the additional amount needed for the computer equipment.

Mr. Papacek made a motion to allocate \$3,000.00 in Line Item 4720 in Fund 217. Seconded by Mr. Stout, the motion carried.

515 HOWARD COUNTY SHERIFF’S DEPARTMENT MISDEMEANANT GRANT FUND:

4720	Equipment	\$ 14,319.92	\$ 14,319.92
Total Misdemeanant Grant Fund:		\$ 14,319.92	\$ 14,319.92

Sheriff Talbert reported that the Sheriff’s Department receives \$66,500.00 annually from State of Indiana for holding inmates for the Department of Corrections. The money has been used for a variety of equipment needs over the past two years. The ban on assault rifles has been lifted in Indiana and the Sheriff reported there have been a few instances of assault rifles being used against police officers. The Sheriff presented a proposal to purchase eight bulletproof vests for the SWAT Team from Point Blank Body Armor, Inc. The cost of \$14,319.92 is designated to be paid out of 515 Howard County Misdemeanant Grant Fund.

Sheriff Major Steve Rogers gave a brief demonstration of the vests and ceramic inserts that provide protection from high velocity weapons. The new vests are constructed with better materials, provide a higher level of protection, and have features that are not on the current vests. Major Rogers said the current body armor is approximately seven years old, which degrades over a period of time and compromises the ability to resist ballistic invasion. The cost for each vest is approximately \$1,389.00 plus \$200.00 for the ceramic insert. The former vests will not be discarded; they will be recycled for uses in other types of situations.

Mr. Papacek made a motion to approve \$14,319.92 to Line Item 4720 Equipment in 515 Howard County Misdemeanant Grant Fund as requested. Mr. Singer seconded the motion, and it carried.

926 HOWARD COUNTY CIRCUIT COURT JUVENILE PROBATION JABG FUND:

1111	Surveillance Officer		\$ 32,800.00	\$ 32,800.00
1521	FICA		\$ 2,510.00	\$ 2,510.00
2370	Clothing		\$ 1,000.00	\$ 1,000.00
2380	Instant Urine Screens		\$ 5,000.00	\$ 5,000.00
2390	Rewards		\$ 823.00	\$ 823.00
3262	Urine Screens		\$ 4,000.00	\$ 4,000.00
3376	Vehicle Gas		\$ 2,000.00	\$ 2,000.00
3375	Vehicle Maintenance		\$ 500.00	\$ 500.00
4780	Alcohol Sensors		\$ 1,000.00	\$ 1,000.00
Total JABG Fund:			\$ 49,633.00	\$ 49,633.00

Chief Juvenile Probation Officer Don Travis submitted a written explanation regarding the request for additional appropriations. The appropriation request represents the continuation of the JABG Grant funds through the Indiana Criminal Justice Institute.

A motion was made by Mr. Papacek to appropriate a total of \$49,633.00 to the line items listed above in Fund 926. Mr. Ellison seconded the motion, and it carried. *(See page 2, attached, regarding approval of the match funding for the JABG Grant)*

TOTAL ADDITIONAL APPROPRIATIONS

ALL FUNDS:	\$ 972,962.99	\$ 972,962.99
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IN THE MATTER OF RESOLUTION NO. 2004-HCC-21 --TRANSFERS:

Resolution No. 2004-HCC-21 addressing requested transfers was presented and read in full for Council information. The following actions were taken:

TRANSFERS:		AMOUNT:	
FROM:	TO:	REQUESTED:	ALLOWED:

001 HOWARD COUNTY GENERAL FUND:

002 HOWARD COUNTY AUDITOR'S OFFICE:

1113	First Deputy Auditor	1118	Overtime	\$ 1,500.00	\$ 1,500.00
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Auditor Martha Lake will assume the office of the Howard County Treasurer on January 1, 2005. Before changing offices Ms. Lake is in the process of expending compensatory time earned by her employees. Ms. Lake proposes to compensate two of the employees that have accrued a large number of overtime hours.

Jesse Johnson has been carrying 49.5 hours from the past two years of employment at value of \$1,087.02. In addition Mr. Johnson will be using 10 vacation days before the end of the year. Jamie Shepherd has accrued approximately 29 hours of compensatory time. She plans to use 14 hours before the end of the year, and agreed to compensation of 15 hours of overtime pay at \$317.25. The total amount of overtime pay for both employees is \$1,404.27. Ms. Lake requested a transfer out of the First Deputy Auditor line item to the Overtime line item to compensate those employees. Ms. Lake estimated that an excess balance would be left in the First Deputy Auditor line item at the end of the 2004-year.

Mr. Papacek made a motion to approve the transfer of \$1,500.00 from Line Item 1113 First Deputy Auditor to Line Item 1118 Overtime as presented. Mr. Singer seconded the motion, and it carried.

014 HOWARD COUNTY SUPERIOR COURT I:

1129	Transcripts	1115	Part-time Clerical	\$ 3,416.00	\$ 3,416.00
3263	Maintenance Contracts	1115	Part-time Clerical	\$ 584.00	\$ 584.00

Superior Court I Judge Michael Krebs was involved in a jury trial and unable to attend the meeting. Assistant Court Reporter Leah Stroud represented the transfer request on behalf of the Judge. Due to a significant increase in the number of jury trials and absentee coverage, Ms. Stroud explained the transfer is necessary to cover the pay for the part-time clerk until the end of the year.

Mr. Singer made a motion to approve the transfers in the line items listed above. Seconded by Mr. Papacek, the motion carried.

023 HOWARD COUNTY BOARD OF COMMISSIONERS:

1112	Councilmen	1121	Personnel Part-time	\$ 300.00	\$ 300.00
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Personnel Administrator Wanda McKillip reported that Mr. Ronald Gilman was appointed to the Council in January 2004 to fill the vacancy left by the late Councilman James Shearer. In reviewing the Budget for 2004 Ms. McKillip discovered that Mr. Gilman should have received a partial payment for the month of January 2004. Mr. Gilman has been compensated for the pay that was due to him.

Ms. McKillip requested \$300 of the unused portion in Council Line Item 1112 be transferred to pay Personnel Part-time employee Ms. Marie Miller's for 8 hours per week until the end of the year 2004.

A motion was made by Mr. Papacek, seconded by Mr. Stout, and carried to approve the transfer of \$300.00 from Line Item 1112 to Line Item 1121 in Account 023.

IN THE MATTER OF SALARY ORDINANCE NO. 2004-HCC-35 – AMENDING THE EXISTING SALARY ORDINANCE FOR 2004:

A motion was made by Mr. Stout, seconded by Mr. Papacek, and carried to approve Amended Salary Ordinance 2004-HCC-35 as read. The amended salaries, any changed position titles and all other pertinent information is shown as follows:

POSITION/NUMBER/SALARY	REQUEST:	APPROVED:	YTD:
<u>001 HOWARD COUNTY GENERAL FUND:</u>			
<u>002 HOWARD COUNTY AUDITOR'S OFFICE:</u>			
1113 First Deputy Auditor 2@\$28,465=\$56,930	- \$ 1,500.00	- \$ 1,500.00	\$55,430.00
1118 Overtime--Orig. 0	+ \$ 1,500.00	+ \$ 1,500.00	\$ 1,500.00
<u>014 HOWARD COUNTY SUPERIOR COURT I:</u>			
1115 Part-time Clerical--Orig. \$2,500+\$9,700=\$12,200	+\$ 4,000.00	+ \$ 4,000.00	\$16,200.00
<u>023 HOWARD COUNTY BOARD OF COMMISSIONERS:</u>			
1112 Councilmen 7@\$8,018=\$56,126	- \$ 300.00	- \$ 300.00	\$55,826.00
1121 Personnel Part-time--Orig. \$3,000+\$3,000=\$6,000	+ \$ 300.00	+ \$ 300.00	\$ 6,300.00

IN THE MATTER OF INFORMATION SYSTEMS ISSUES:

Information Systems Director Terry Tribby gave a brief account of the status of projects involving the Information Systems Department. Phase I of the Interoperability Communications Upgrade Wireless Project is progressing well.

IN THE MATTER SHERIFF DEPARTMENT ISSUES:

Sheriff Marshall Talbert presented the following issues for Council information:

1. The **Commissary Report for the Month of September 2004** was submitted to the Council.
2. Crowder Detention Equipment from Carmel **repaired both of the Jail doors** that were malfunctioning.
3. The **new carpet** has been installed in the Dispatch area.
4. The **renovation work for the laboratory** is finished except for one panel that needs placed over ductwork on the ceiling.
5. The County Highway Department has agreed to supply **salt for the parking lot and sidewalks** this winter. The Sheriff's Department will reimburse the Highway Department for the cost of the salt in the spring.
6. The National Institute of Corrections ("NIC") indicated they would arrive sometime in November to perform the **local systems analysis** for the jail. The Sheriff advised that cooperation from the courts, judges, and elected officials is important for completion of the analysis.
7. The new mattresses, chairs, and storage boxes are in place. All of the old mattresses have been disposed of.

IN THE MATTER OF PERSONNEL ADMINISTRATOR ISSUES:

Personnel Administrator Wanda McKillip presented the following issues for Council information:

1. The County Newsletter featured an **article by Jon Zeck** about the history of the jail.
2. A **Retirement Seminar** for County Employees was held on Tuesday, October 26, 2004. Several speakers discussed retirement options and answered questions about health benefits and Social Security.
3. A **Healthy Eating Meeting** has been scheduled on **Wednesday, October 27th, 2004 from 12:00 noon to 1:00 p.m. in Room 101 of the Howard County Government Center.** A free lunch will be provided as Purdue Extension Educator and Director Susan Neher conducts a presentation on wise eating choices and related nutrition information.
4. **Anthem Benefit Year for 2005:** Anthem is in the process of finalizing the benefit year for 2005. The Insurance Committee is scheduled to meet on **Wednesday, November 10th, 2004** to discuss healthcare and premiums.

5. The Personnel Department has been working on making **changes to the County Employee Handbook**. A few suggestions from elected officials and department heads were taken into consideration. Mrs. McKillip anticipates presenting the revisions at the next Council meeting in November and having the handbook finalized by January 1, 2005.

IN THE MATTER OF MISCELLANEOUS BUSINESS:

Mr. Ortman asked about receiving the meeting agendas and minutes by e-mail. Mr. Tribby said a survey was recently conducted to determine who would be interested in receiving the agendas and minutes by e-mail. A brief discussion ensued and the Auditor reported that only about ten responses were received to the survey.

There being no further business to come before the Council, Mr. Papacek made a motion to adjourn. The motion was seconded by Mr. Ortman and carried. The meeting adjourned at 8:15 p.m.

HOWARD COUNTY COUNCIL:

Richard H. Miller, President

James Papacek, Vice President

Ronald Gilman, Councilman

Dwight Singer, Jr., Councilman

Leslie Ellison, Councilman

Stanley Ortman, Councilman

Jeffrey Stout, Councilman

Attest:

Martha J. Lake, Auditor
County Council Minutes, October 26th, 2004