

## **HOWARD COUNTY COUNCIL REGULAR MEETING DECEMBER 11, 2007**

The Howard County Council met Tuesday, December 11, 2007, at 12:00 p.m. in Room 338 of the Howard County Administration Center. Those present included Council President Richard Miller, Vice President James Papacek, and Members Stanley Ortman, Jeff Stout, Joseph Pencek, Leslie Ellison and Paul Wyman. Also in attendance were County Attorney Larry Murrell and Auditor Ann Wells.

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

### **IN THE MATTER OF APPROVAL OF THE MINUTES:**

The minutes of the November 27, 2007 meeting, having been previously submitted and reviewed, were approved on a motion made by Mr. Papacek and seconded by Mr. Ortman.

### **IN THE MATTER OF ORDINANCE NO. 2007-HCCO-47 - ADDITIONAL APPROPRIATIONS:**

Ordinance No. 2007-HCCO-47 - Additional Appropriations was read in full by Auditor Ann Wells and acted upon as follows:

<b><u>001</u></b>	<b><u>Howard County General Fund</u></b>	<b>REQUESTED:</b>	<b>APPROVED:</b>
<b><u>005</u></b>	<b><u>Howard County Sheriff Department</u></b>		
01122.00	Correction Officer Overtime	\$ 150,000.00	\$ 150,000.00

Sheriff Talbert requested these additional funds to finish the year in the overtime account. In recent months the Sheriff's Department has had eight (8) employees on FMLA and one on military leave. Covering the hours requires the use of overtime. All possible transfers into this account have been done.

The request of \$150,000.00 in line item 01122.00, Correction Officer Overtime was approved on a motion made by Mr. Stout and seconded by Mr. Papacek.

<b><u>009</u></b>	<b><u>Howard County Coroner</u></b>		
02321.00	Gas, Oil & Lubricants	\$ 600.00	\$ 600.00
03213.00	Travel & Training	\$ 1,000.00	\$ 1,000.00
03263.02	Autopsy / Lab	\$ 5,000.00	\$ 5,000.00

Councilman Jeff Stout is representing Coroner Brad Bray in bringing these requests to the Council. He explained that these requests are to cover costs for the remaining of 2007. The Autopsy / Lab account is currently over budget and he expects to have to do more autopsies before the end of the year. Councilman Stout will abstain from the vote.

A motion was made by Mr. Wyman to approve the requests as submitted. The motion was seconded by Mr. Ellison and carried.

<b><u>035 038</u></b>	<b><u>Howard County Kinsey Youth Center</u></b>		
03263.01	Mental Health / Diagnostics	\$ 50,000.00	\$ 5,000.00

Kinsey Assistant Director Jeff Lipinski reported to the Council that to date, this year, Kinsey Youth Center, because of an increase in per diem, has been able to return \$919,703.00 to County General Funds. In the year 2006, \$867,000.00 was returned to the County's fund. By consensus, the Howard County Council had approved Kinsey's Enhanced Diagnostic Testing Service Plan (*please refer to page four, "In The Matter Of An Increase In Per Diem For Kinsey Youth Center's Diagnostic Services", of the Regular Meeting minutes dated October 23, 2007*). This request is to be able to enter into contract with Family Psychiatric Services for their assistance in relation to this enhanced service. Those costs will be reimbursed but this amount will begin the contract and secure payment in a timely manner.

At the close of ensuing discussion, a motion was made by Mr. Papacek to approve \$5,000.00 (\$2,500.00 each) in line item 03263.01 of 035 and 038, Kinsey Youth Center, at this time, and have Kinsey request additional funds in 2008. The motion was seconded by Mr. Ellison and carried

<b>TOTAL GENERAL FUND</b>	<b>\$ 206,600.00</b>	<b>\$ 161,600.00</b>
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<b><u>215</u></b>	<b><u>Howard County Health Department / Master Tobacco Settlement Fund</u></b>		
03120.00	Contract Services	\$ 38,894.57	\$ 38,894.57

Health Department Director Kris Conyers informed the Council that the Board of Health, at their November meeting, decided to contribute money to Project Access and the Kokomo / Howard County Humane Society. This request is to appropriate the Tobacco Grant Money received in August, 2007.

A motion was made by Mr. Papacek, seconded by Mr. Stout and carried to approve the request of \$38,894.57 to line item 03120.00, Contract Services.

<b><u>105</u></b>	<b><u>Howard County Superior Court III / Adult Probation User Fee Fund</u></b>		
01523.00	Insurance	\$ 5,430.00	\$ Withdrawn

The Auditor's Office is in receipt of a letter from Superior Court III Judge Tate asking for an Additional Appropriation to cover the cost of Insurance for a full time employee not included on the original budget request.

\*A motion was made by Mr. Papacek, seconded by Mr. Ortman and carried to approve the request of \$5,430.00 in line item 01523.00, Insurance. *(Please refer to pages three and four of these minutes)*

<b>TOTAL ADDITIONALS ALL FUNDS</b>		<b>\$ 250,924.57</b>	<b>\$ 200,494.57</b>
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**IN THE MATTER OF AN ADDITIONAL APPROPRIATION REQUEST BY THE HOWARD COUNTY CONVENTION & VISITORS BUREAU:**

Peggy Hobson of the Convention & Visitors Bureau and Chairman of the Board, Allen James, were in attendance to request Additional Appropriations to their 2007 Budget as follows:

Purchase of New Vehicle	Vehicle Cost	\$18,735.00
	License	\$ 77.00
	Insurance	\$ 855.00
	Graphics for ad	<u>\$ 1,000.00</u>
		\$20,667.00
Vehicle Repair	Equipmnt / 4727-00	\$18,735.00
	Advertising / 3330-00	\$ 1,000.00
	Vehicle / 4800-00	<u>\$ 3,114.00</u>
		\$22,849.00

Action taken by The Convention & Visitors Bureau's Board must be approved by the Howard County Council, but their funds are not County funds. Ms. Hobson reported that they have enough money in their fund to cover the additional expenses. At the conclusion of a brief discussion concerning the use of the vehicles, a motion was made by Mr. Ortman, seconded by Mr. Ellison and carried to approve the Additional Appropriation requests as submitted.

**IN THE MATTER OF RESOLUTION NO. 2007-HCCR-32 - TRANSFERS:**

Resolution No. 2007-HCCR-32 - Transfers was read in full by Auditor Ann Wells and acted upon as follows:

<b>Transfer From:</b>	<b>To:</b>	<b>AMOUNT REQUESTED:</b>	<b>ALLOWED:</b>
<b><u>001</u></b>	<b><u>Howard County General Fund</u></b>		
<b><u>007</u></b>	<b><u>Howard County Extension Office</u></b>		
03213.00	Travel & Training	02360.00 Supplies	\$ 500.00 \$ 500.00
01117.00	Part Time	02360.00 Supplies	\$ 250.00 \$ 250.00
03212.00	Postage	02360.00 Supplies	\$ 350.00 \$ 350.00

Jeannie Vondersaar, from the County Extension Office, explained that the transfer requests are to buy needed supplies before the end of the year.

The transfer requests were approved as listed on a motion made by Mr. Papacek and seconded by Mr. Ellison.

<u>014</u>	<u>Howard County Superior Court I</u>				
01118.00	Part Time	01118.00	Equipment	\$ 800.00	\$ 800.00

Judge William Menges requested this transfer to enable him to purchase replacement lavalier microphones.

This transfer request was approved on a motion made by Mr. Ortman and seconded by Mr. Stout.

<u>018</u>	<u>Howard County Maintenance Department</u>				
01116.00	Overtime	01118.00	Part Time	\$ 600.00	\$ 600.00

Buildings & Grounds Supervisor Art Fross informed the Council that these additional funds were needed to finish part time work through the end of the year.

The transfer request for \$600.00 from 01116.00, Overtime to 01118.00, Part Time was approved on a motion made by Mr. Papacek and seconded by Mr. Pencek.

<u>035</u>	<u>Kinsey Youth Center</u>				
01115.00	Secretary / Bookkeeper	01118.01	Nurse	\$ 80.00	\$ 80.00
01120.02	Cook	01118.01	Nurse	\$ 547.00	\$ 547.00
01116.01	Secretary Youth Center	01118.01	Nurse	\$ 110.00	\$ 110.00

<u>037</u>	<u>Kinsey Youth Center</u>				
03253.00	Equipment Repair	02253.00	Equip Repair Sup	\$ 1,006.03	\$ Withdrawn
01115.00	Secretary / Bookkeeper	01118.01	Nurse	\$ 80.00	\$ 80.00
01120.02	Cook	01118.01	Nurse	\$ 547.00	\$ 547.00
01116.01	Secretary / Clerk	01118.01	Nurse	\$ 110.00	\$ 110.00

<u>038</u>	<u>Kinsey Youth Center</u>				
01115.00	Secretary / Bookkeeper	01118.01	Nurse	\$ 80.00	\$ 80.00
01120.02	Cook	01118.01	Nurse	\$ 547.00	\$ 547.00
01116.01	Secretary / Clerk	01118.01	Nurse	\$ 110.00	\$ 110.00

Assistant Director Jeff Lipinski requested funds to pay the compensatory time earned by the nursing staff. In the year 2008, the nurses will be exempt employees.

The transfer requests were approved as submitted, including the withdrawal of the \$1,006.03 request from 037-03253.00, on a motion made by Mr. Ortman and seconded by Mr. Ellison.

<u>011</u>	<u>Howard County Reassessment Fund</u>				
011					
01113.00	Center Twp. First Deputy	01117.00	Part Time	\$ 1,000.00	\$ 1,000.00

Ms. Wells read a letter submitted by Center Township Assessor Sheila Pullen, explaining that the request for transfer was to pay for the data entry of the 2003 pay 2004 personal property information required by the Department of Local Government Finance, to be compliant, and to retain the County Assessor's Level II certification.

A motion was made by Mr. Papacek, seconded by Mr. Ortman and carried to approve the transfer of \$1,000.00 from line item 01113.00, Center Township Assessor First Deputy, to line item 01117.00, Part Time.

<u>105</u>	<u>Howard County Adult Probation User Fee Fund</u>				
04720.00	Computer Equipment	01523.00	Insurance	\$ 2,000.00	\$ 2,000.00
02372.00	Computer Supplies	01523.00	Insurance	\$ 1,593.19	\$ 1,593.19
01117.00	Superior III Part Time	01523.00	Insurance	\$ 1,200.00	\$ 1,200.00

Chief Deputy Auditor Laurie Martin informed the Council that both an Additional Appropriation request (*refer to page two*) and a transfer was turned in for the same information. It is the intent of Director Gary Conwell to withdraw the Additional Appropriation Request and submit the transfer request listed above.

\*A motion was made by Mr. Papacek to amend Ordinance NO. 2007-HCCO-47 to reflect that the Additional Appropriation request for \$5,430.00 in line item 105-000-01523.00, Insurance is withdrawn (*please refer to page two*). A motion was then made by Mr. Papacek, seconded by Mr. Ellison and carried to approve the transfer requests as listed above.

**IN THE MATTER OF ORDINANCE NO. 2008-HCCO-49 - BUDGET ORDINANCE FOR 2008:**

Auditor Wells submitted the final compilation of the 2008 budget. Ordinance No. 2008-HCCO-49 - Budget Ordinance For 2008 was approved on a motion made by Papacek and seconded by Mr. Ortman.

**IN THE MATTER OF ORDINANCE NO. 2008-HCCO-50 - SALARY ORDINANCE FOR 2008:**

Ordinance No. 2008-HCCO-50 - Salary Ordinance For 2008 was read by Auditor Ann Wells and approved on a motion made by Mr. Papacek and seconded by Mr. Stout.

**IN THE MATTER OF THE MS4 BUDGET REQUEST FOR 2008:**

President Miller invited Howard County Surveyor Jake Grimme and Chief Deputy Surveyor Greg Lake to the podium to continue the discussion concerning the MS4 2008 Budget (*please refer to page five, "In The Matter Of The MS4 Budget Request For 2008", of the Regular Meeting minutes dated November 27, 2007*). The total amount of this requested budget is \$186,551.00. Mr. Lake informed the Council that he is confident IDEM will be willing to work with the County toward compliance. The Council reviewed the budget and asked for clarification of several items contained therein. Mr. Murrell informed the Council of important dates that include the Audit, February's Annual Report, and a permit renewal in October, 2008. Discussion ensued concerning options for financing the MS4. The three choices are through County General Fund, EDIT Funds, or Fee based funds. Discussion ensued concerning the Vehicle request.

A motion was made by Mr. Papacek to approve the MS4 2008 Budget without the \$30,000.00 vehicle request, for a total estimate of \$156,551.00, from County General Funds. The motion was seconded by Mr. Ortman. A vote was not taken. As a point of order, Attorney Murrell asked for clarification if the motion included the salary requests. He reminded the Council that according to State Statute, "...the compensation of an elected County Officer may not be changed in the year for which it's fixed". Beginning January 1, the Council cannot raise the Surveyor's salary during 2008; also, the Salary Ordinance previously approved, will need to be amended. Discussion continued.

A motion was made by Mr. Ortman to amend the original motion to decrease the MS4 Operator request from \$10,000.00 to \$5,000.00 bringing the total estimate for approval to \$151,551.00. The motion died for lack of a second.

A motion was made by Mr. Wyman to amend the original motion removing 01111, MS4 Operator salary request in the amount of \$10,000.00, and 01112, MS4 Coordinator salary request in the amount of \$10,000.00, for a total budget estimate of \$136,551.00, to be funded by County General, then address those two items the beginning of the year 2008. A second amendment was made by Mr. Wyman to include removal of 02321.00, Gas, Oil & Lube for \$1,000.00 and 03252.00, Garage & Motor in the amount of \$200.00 bringing the total budget estimate to \$135,351.00. This motion was seconded by Mr. Ellison.

Because the motion includes funding from County General, whose budget has been set and advertised, and is pending State approval or denial, no additions or deletions from the 2008 Budget can be entertained until the State has given its approval. For that reason, Mr. Papacek withdrew the original motion. All amendments to the original motion were also withdrawn.

A motion was made by Mr. Pencek, seconded by Mr. Wyman and carried to table this issue until the January, 2008 meeting.

**IN THE MATTER OF PERSONNEL DEPARTMENT ISSUES:**

Personnel Director Wanda McKillip presented the Council appointments as follows:

- a. Reappoint Mr. Kent Evans to the Howard County Alcoholic Beverage Commission for a one year term, to expire December 31, 2008.
- b. Reappoint Mr. Mike Ullery to the City of Firsts Automotive Heritage Museum, Inc. Board for a three year term that expires December 31, 2010.

- c. Appointments to the Howard County Board of Reassessment will be addressed at the January, 2008 meeting.
- d. Reappoint Ms. Susan Luttrell to the Kokomo / Howard County Public Library Board for a term of four years to expire December 31, 2011.
- e. Appoint Ms. Julie Matheny to the Greentown Public Library Board to replace Ms. Jayne Boltz, for a term of four years that expires December 31, 2011.
- f. Reappoint Mr. Bob Lukes to the Kokomo / Howard County Emergency Management Advisory Council for a term of three years that expires December 31, 2010.

The appointments were approved as presented, on a motion made by Mr. Wyman and seconded by Mr. Stout. Be it noted for the record that Mr. Ortman abstained from voting because of a conflict of interest as he also sits on the Kokomo / Howard County Library Board.

**IN THE MATTER OF THE KOKOMO / HOWARD COUNTY PUBLIC LIBRARY BOARD:**

Councilman Stan Ortman distributed copies of "The Economic Impact of Libraries in Indiana" to the Council members. He reported that the Kokomo / Howard County Library Board was given special recognition in the State for their attendance program successes.

**IN THE MATTER OF JOINT RESOLUTION NO. 2007-HCCR-33:**

This joint resolution with the Howard County Board of Commissioners' Resolution No. 2007-BCCR-34, honors Kinsey Youth Center Director Janet H. Weaver "for her fifteen years of exceptional service to Howard County and to the youth of Howard and surrounding counties whose lives were positively impacted by the Kinsey Youth Center". This Resolution was read in full by Attorney Murrell and will be presented to Ms. Weaver Tuesday, December 18<sup>th</sup>, at Kinsey Youth Center's Staff Christmas luncheon. Resolution No. 2007-HCCR-33 is approved on a motion made by Mr. Papacek and seconded by Mr. Ellison.

**IN THE MATTER OF ORDINANCE NO. 2007-HCCO-51:**

Ordinance No. 2007-HCCO-51, establishing the Howard County Sheriff Deputy Benevolent Fund, was presented by Sheriff Talbert. There have been many occasions when donations are given to Deputy School Liaisons. Those donations are given to needy families during the holidays. Sheriff Talbert would like to create a fund for these donations to document receipts and expenditures. This fund has to be established by Ordinance and would be administered as a Commissary Fund, to be reported to the Council. This fund has been approved by the Howard County Board of Commissioners at their December 3, 2007 meeting (*please refer to page four, "In The Matter Of Donations Received By Sheriff Deputies", of the Regular Meeting minutes dated December 3, 2007*). A motion was made by Mr. Papacek, seconded by Mr. Stout and carried to approve Ordinance No. 2007-HCCO-51.

**IN THE MATTER OF THE PLANS FOR THE EMA RECONSTRUCTION:**

Commissioner Brad Bagwell informed the Council members that the plans for the EMA Reconstruction are on display in the Commissioners' office and he would invite them to peruse the plans at their convenience. The Board of Commissioners will be addressing the issue at their next meeting and will make a presentation to the Council at the January, 2008 meeting.

There being no further business to come before the Council at this time, the meeting was adjourned at 2:10 p.m. on a motion made by Mr. Papacek and seconded by Mr. Ortman.

**HOWARD COUNTY COUNCIL:**

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RICHARD A. MILLER, PRESIDENT

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JAMES T. PAPACEK, VICE PRESIDENT

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PAUL G. WYMAN, COUNCILMAN

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LESLIE ELLISON, COUNCILMAN

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STANLEY ORTMAN, COUNCILMAN

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JEFFREY STOUT, COUNCILMAN

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JOE PENCEK, COUNCILMAN

ATTEST:

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ANN WELLS, AUDITOR

Howard County Council Meeting December 11, 2007