

## **HOWARD COUNTY COUNCIL REGULAR MEETING FEBRUARY 27, 2007**

The Howard County Council met Tuesday, February 27, 2007, at 7:00 p.m. in Room 338 of the Howard County Administration Center. Those present included Council President Richard H. Miller, Vice President James A. Papacek, and Members Stanley Ortman, Leslie Ellison, Jeffrey A. Stout, Joseph A. Pencek and Paul G. Wyman. Also in attendance were Attorney Larry Murrell and Auditor Ann Wells.

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

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

The minutes of the January 23, 2007 meeting, having been previously submitted and reviewed, were approved on a motion made by Mr. Ortman and seconded by Mr. Ellison.

### **IN THE MATTER OF OPENING COMMENTS BY PRESIDENT MILLER:**

Mr. Miller recognized Councilman Greg Sheline from the Kokomo City Council. Mr. Miller explained to the Council that members of the Kokomo City Council and the Howard County Council will be attending each other's meetings to better understand the issues involved. Mr. Miller attended the January 12, 2007 City Council Meeting. Mr. Miller distributed copies of the meeting schedule and asked Council Members to choose a meeting to attend, now, so that the City Council could be informed of their attendance.

### **IN THE MATTER OF ORDINANCE NO. 2007-HCCO-7 - ADDITIONAL APPROPRIATIONS:**

Ordinance No. 2007-HCCO-7 - Additional Appropriations was read in full by Auditor Ann Wells and acted upon as follows:

#### **APPROPRIATIONS REQUESTED:**

		<b>REQUESTED:</b>	<b>APPROVED:</b>
<b><u>001</u></b>	<b><u>Howard County General Fund</u></b>		
<b><u>035</u></b>	<b><u>Howard County Kinsey Youth Center - Shelter Care</u></b>		
01112.00	Director	\$ 1,712.00	\$ -0-
01117.01	Assistant Director	\$ 2,937.00	\$ -0-
01111.00	Program Director	\$ 6,387.00	\$ -0-
01113.02	Caseworker	\$ 7,651.00	\$ -0-
<b><u>037</u></b>	<b><u>Howard County Kinsey Youth Center - Residential Unit</u></b>		
01112.00	Director	\$ 1,712.33	\$ -0-
01117.01	Assistant Director	\$ 2,937.00	\$ -0-
01111.00	Program Director	\$ 6,387.00	\$ -0-
01113.02	Caseworker	\$ 10,872.00	\$ Withdrawn
<b><u>038</u></b>	<b><u>Howard County Kinsey Youth Center - Secure Detention Unit</u></b>		
01112.00	Director	\$ 1,712.34	\$ -0-
01117.01	Assistant Director	\$ 2,937.00	\$ -0-
01111.00	Program Director	\$ 6,387.00	\$ -0-
01113.02	Caseworker	\$ 7,061.00	\$ -0-

Kinsey Youth Center Director Janet Weaver spoke to this request to bring Youth Center administrative salaries back in line with the State mandated Probation Department salary schedule. Youth Center administrative positions are similar to Probation positions and require specific education and experience. The Center's administrative staff is paid by County General funds and has not received the raises that the Probation department receives, creating an ever widening gap between the two sets of salaries, both housed in the same building. At the 2006 budget requests, Ms. Weaver was challenged to find ways to offset the increased costs. Ms. Weaver continued to explain why she believes that is currently being accomplished, reporting on fees collected.

President Miller informed the Council that the PAC Committee recommendation is to submit the request to the Council at budget time when salaries will be reviewed. The Board of Commissioners upheld the recommendation. Vice President Papacek voiced understanding of the concerns of Ms. Weaver and her employees' salaries. He is frustrated by the State's mandate of probation salaries without helping to underwrite those mandated salaries. He does not know how the County can afford those salaries at this time and would like Ms. Weaver to address this at budget time.

Further discussion ensued concerning the fact of losing valuable employees over salary issues, and the juveniles that are serviced from this county and surrounding counties. Council members supported looking more closely at this issue at budget time, commending Ms. Weaver and her staff for their fine work. A motion was made by Mr. Pencek, seconded by Mr. Papacek and carried to deny the request for additional salary funds in the amount of \$58,693.00.

<b>TOTAL HOWARD COUNTY GENERAL FUNDS:</b>		<b>\$ 58,693.00</b>	<b>\$ DENIED</b>
<b><u>010</u></b>	<b><u>HOWARD COUNTY HEALTH DEPARTMENT</u></b>		
04721.00	Equipment	\$ 7,915.00	\$ 7,915.00

Health Department Director Kris Conyers presented a need for a new copier for the Health Department.

The request for \$7,915.00 in line item 04721.00, Equipment was approved on a motion made by Mr. Papacek and seconded by Mr. Ellison.

<b><u>105</u></b>	<b><u>Howard County Adult Probation - User Fee Fund</u></b>		
04721.00	Equipment	\$ 7,000.00	\$ 7,000.00
04725.00	Building Repair	\$ 1,000.00	\$ 1,000.00

Adult Probation Chief Officer Gary Conwell presented his request for a new copier. The request for additional funds in Building Repair is to convert the conference room into two offices. They have an office that cannot be used because of water leaks and damage.

A motion was made by Mr. Ortman to approve the requests of \$7,000.00 in line item 04721.00, Equipment and \$1,000.00 in line item 04725.00, Building Repair. The motion was seconded by Mr. Stout and carried.

<b>TOTAL ADULT PROBATION USER FEE</b>		<b>\$ 8,000.00</b>	<b>\$ 8,000.00</b>
<b><u>125</u></b>	<b><u>Howard County Prosecutor - Title IV-D Fund</u></b>		
04722.00	Equipment	\$ 10,000.00	\$ 10,000.00

Prosecutor James Fleming is requesting additional funds to purchase a new copier from Federal Incentive Funds for collecting support money. The copier will be used in the Support Office.

A motion was made by Mr. Papacek, seconded by Mr. Wyman and carried to approve \$10,000.00 to line item 04722.00, Equipment.

<b><u>150</u></b>	<b><u>Howard County Cumulative Capital Fund</u></b>		
04001.00	Equipment - Clerk (Software)	\$ 34,000.00	\$ 34,000.00
04017.00	Equipment - Voter Registration	\$ 2,500.00	\$ 2,500.00
04018.00	Equipment - Maintenance (Health Dept)	\$ 500.00	\$ 500.00
04721.05	Equipment - Sheriff - Police Equipment	\$ 29,500.00	\$ 29,500.00
04722.05	Equipment - Sheriff - Mobile Computers	\$ 10,000.00	\$ 10,000.00
04035.00	Equipment - Kinsey Youth Center	\$ 1,000.00	\$ 1,000.00

Commissioner Paul Raver presented the above listed Cumulative Capital Fund requests, previously approved by the Board of Commissioners, and each Department Head explained their request.

Clerk Mona Myers requests updated software for the Judicial Tracking System, used by the Courts, Probation Officers, Public Defender, Sheriff, and Prosecutors' offices.

Ms. Carol Shallenberger and Ms. Shirley McCoy are in need of additional lateral files for the Voter Registration Office.

Jennifer Sexton, Public Health Nursing Coordinator, presented the request for a sink in one of the examining rooms and electrical work to support the new vaccine storage units. The Maintenance Department will do the work for this project.

President Miller reminded the Council that this request for Police Equipment and Mobile Computers was previously submitted at the January 23<sup>rd</sup> Council Meeting (*please refer to page five and six, Howard County CEDIT Fund Additional Requests, of the Regular Council Meeting minutes dated January 23, 2007*).

Ms. Weaver requests funds in the equipment line to replace a vacuum cleaner and other items that may need replacement through the year.

A motion was made by Mr. Papacek to approve the Cumulative Capital requests as listed above. The motion was seconded by Mr. Stout and carried.

<b>TOTAL CUMULATIVE CAPITAL FUND</b>	<b>\$</b>	<b>77,500.00</b>	<b>\$</b>	<b>77,500.00</b>
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<b><u>232</u></b>	<b><u>Howard County Recorder - ID Protection Fund</u></b>			
03120.00	Contract Services	\$	40,000.00	\$ 40,000.00

County Recorder Linda Koontz clarified the ID Protection Fund. Fifty cents per document goes into the fund and is used for the redaction of social security numbers from documents that are available through public access. Ms. Koontz intends to use the funds for software to help in this process, as well as digitalization and preservation of documents.

A motion was made by Mr. Papacek, seconded by Mr. Pencek and carried to approve the request of \$40,000.00 in line item 03120.00, Contract Services.

**IN THE MATTER OF RESOLUTION NO. 2007-HCCR-4 - TRANSFERS:**

Resolution No. 2007-HCCR-4 - Transfers was read in full by Auditor Wells and acted upon as follows:

	<b>Transfer From:</b>	<b>To:</b>	<b>Amount Requested:</b>	<b>Approved:</b>
<b><u>001</u></b>	<b><u>Howard County General Fund</u></b>			
<b><u>001</u></b>	<b><u>Howard County Clerk</u></b>			
02360.00	Office Supplies	04721.00 Equipment	\$ 1,900.00	\$ 1,900.00
		<i>This will be a new number for the 2007 Budget</i>		

Ms. Myers explained the transfer request for time clock software.

The Equipment Line Item is new to this budget. Vice President Papacek expressed the opinion that he believes all new line item requests should be brought to the Council for their approval to insert the line item into the existing budget, before requesting funds into the line item. This issue has not been addressed in the past, but Mr. Papacek believes it makes good sense when monitoring the budget. Mr. Ellison spoke in support of this idea. Ms. Wells reminded the Council that Equipment lines were taken out of County General Departments and forwarded to the Cumulative Capital Fund. This particular transfer is taken from Office Supply money so that no additional Cumulative Capital money is needed.

A motion was made by Mr. Stout, seconded by Mr. Wyman and carried to approve the transfer request of \$1,900.00 from line item 02360.00, Office Supplies to 04721.00, Equipment.

**IN THE MATTER OF SALARY ORDINANCE NO. 2007-HCCO-8 - AMENDING SALARY ORDINANCE FOR 2007:**

Salary Ordinance No. 2007-HCCO-8 - Amending Salary Ordinance for 2007 was read in full by Auditor Wells and acted upon as follows:

		<b>REQUESTED:</b>	<b>APPROVED:</b>
<b><u>001</u></b>	<b><u>Howard County General Fund</u></b>		
<b><u>035,037, 038</u></b>	<b><u>Howard County Kinsey Youth Center</u></b>		
01112.00	Director / increase from \$63,143 to \$68,280	\$ 5,137.00	\$ N/A
01117.01	Assistant Director / increase from \$47,320 to \$56,131	\$ 8,811.00	\$ N/A
01111.00	Program Director (3) / increase from \$40,549 to \$46,936	\$ 19,161.00	\$ N/A

01113.02	Caseworker / increase from \$31,064 to \$38,715	\$	7,6u51.00	\$	N/A
01113.02	Caseworker / increase from \$31,064 to \$41,936	\$	10,872.00	\$	N/A
01113.02	Caseworker / increase from \$31,064 to \$38,125	\$	7,061.00	\$	N/A

The requests for additional appropriations for Kinsey's Administrative Salaries were denied (*please refer to page one of these Regular Meeting minutes*); therefore these salary amendments were not applicable.

012 Howard County Prosecutor

01111.00	Prosecutor / Current as of January 1, 2007, \$5,000.00	\$	5,000.00	\$	-0-
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At the January Council meeting, the 2007 Salary Ordinance, Ordinance No. 2007-HCCO-5 was approved. This Salary Ordinance included an amount of \$5,000.00 as a supplemental salary for the Prosecutor. Also approved at the January Council meeting was a letter from the Council to the Indiana Supreme Court, accepting Mr. Fleming as a full-time Prosecuting Attorney beginning January 1, 2007 with benefits to begin March 1, 2007 (*please refer to pages one and two of the Regular Council Meeting minutes dated January 23, 2007*). The PAC Committee and Council members have discussed the issue of whether the County needs to support the State paid full time salary with a County funded supplemental amount. President Miller informed the Council that Prosecutor Fleming would abide by the recommendation of the PAC Committee on this request. The PAC Committee respectfully suggested there should be no "additional monies granted to the full time Prosecutor's salary" at this time, effective March 1, 2007

A motion was made by Mr. Papacek to approve \$0 monies for Salary Ordinance No. 2007-HCCO-8. The motion was seconded by Mr. Pencek and carried.

**IN THE MATTER OF ORDINANCE NO. 2007-HCCO-09:**

Public Defender Steve Raquet presented this Ordinance, continuing the establishment of the Supplemental Public Defender Services Fund. These funds are to be used to supplement the provisions for court-appointed legal services, only, and can include equipment, special court reporter expenses, travel expenses, witness fees, expert witness fees, expert witness analysis, continuing legal education, subscriptions, office expenses and any other purpose deemed appropriate by the Public Defender. Funds expended from these sums are reimbursable by the State. A motion was made by Mr. Papacek to approve Ordinance No. 2007-HCCO-09. The motion was seconded by Mr. Ortman and carried.

**IN THE MATTER OF TRANSFERS FOR THE HOWARD COUNTY CONVENTION AND VISITORS COMMISSION FOR THE 2006 BUDGET:**

Ms. Peggy Hobson submits this request as an annual accounting procedure to clean up the previous year's budget as follows:

<u>Transfer From:</u>	<u>Amount:</u>	<u>Transfer To:</u>
03420.00 Liability Insurance	\$1,375.00	03330.00 Advertising
01523.00 Health / Life Insurance	\$4,950.00	03330.00 Advertising
04800.00 Vehicle Expenses	\$ 210.00	03330.00 Advertising
02360.00 Office Expenses	\$2,219.00	03330.00 Advertising
04727.00 Office Equipment	\$ 537.00	03330.00 Advertising
04112.00 Building Expenses	\$ 410.00	03330.00 Advertising
03212.00 Freight / Postage	\$1,032.00	03330.00 Advertising
03214.00 Telephone	\$2,395.00	03330.00 Advertising
03223.00 Travel & Conference	\$1,428.00	03330.00 Advertising
03223.00 Travel & Conference	\$ 41.00	03213.00 Mileage
03251.00 Contract Services	\$ 570.00	03213.00 Mileage
01115.00 Part Time Clerical	\$ 500.00	03900.00 Dues & Subscriptions

A motion was made by Mr. Ortman, seconded by Mr. Papacek and carried to approve the transfers as listed above.

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

Sheriff Talbert submitted the following issues for Council information and approval:

1. **Commissary Report:** The Sheriff's Commissary Report for January 2007 was submitted and explained by Sheriff Talbert. Special attention was called to the amount of Phone Commissions for the Inmate pay phone. A T & T would like to move away from Inmate phone service. The commissions have been lowered, and Sheriff Talbert has received information that the State has set up with the Department of Corrections an agreement enabling the DOC to make thirty five per cent commission on long distance calls and eighteen per cent on local calls. Most of the inmate calls in Howard County are local calls. The revenues will be drastically lowered. Nine telephone companies are vying for the Criminal Justice Center's inmate phone service business. There is no signing bonus available. To try to make up the revenue, some Sheriffs are charging facility / rental fees to the phone companies, legally.
2. **Keefe Commissary:** Sheriff Talbert is meeting with Keefe Commissary Company to discuss the possibility of slightly raising Commissary prices. Sheriff Talbert would also like to put an automated kiosk in the jail that allows automated collections of money onto inmate commissary accounts via cash or credit card.
3. **New Prisoner Transport Van:** A new prisoner transport ¾ ton van has been ordered from Dan Young GM Center, in the amount of \$19,000.00. This van will be purchased using Misdemeanor Funds.
4. **High Mileage Patrol Cars:** Sheriff Talbert distributed copies of an article written by Deputy Sheriff Ed Santos, concerning high mileage patrol cars.
5. **Painting by Inmate Work Crew:** The Inmate Work Crew is in the process of painting the hallways, the horseshoe and common areas of the Criminal Justice Center. One of the crew workers is a professional painter and is doing a tremendous job, with little cost to the County.
6. **New Bomb Sniffing K-9:** For health reasons the bomb sniffing K-9 will be retired. A new K-9 and handler are needed and Sheriff Talbert is looking for ways to fund the project. He informed the Council that while agencies are willing to underwrite costs for a Drug sniffing K-9, it's a little more challenging to find organizations that are willing to underwrite a Bomb sniffing K-9. The K-9 project will cost \$11,000.00.

#### **IN THE MATTER OF HOWARD COUNTY COURT COSTS FOR THE UNIFIED COURTS, 2006:**

President Miller distributed copies of a report prepared by Judge Menges, Superior Court I, of revenues and expenditures for all the Howard County Courts and Circuit Court, excluding the Juvenile Cases. President Miller commented that, "contrary to what some have suggested" Howard County Courts carry a high volume of cases and are very efficient. The new software that Clerk Mona Myers was given permission to purchase, will have the ability to track the fines and fees assessed by the Courts, and inform the Courts of what has and hasn't been paid.

#### **IN THE MATTER OF CONTINUED DISCUSSION OF THE PROPOSED JAIL-JUVENILE COIT:**

A copy of the proposed "Ordinance of the Howard County Council imposing a County Option Income Tax pursuant to IC6-3.5-6-28," drafted by County Attorney Murrell, was presented and introduced to the Council for consideration. President Miller led in a discussion concerning the proposed Jail - Juvenile COIT Tax option and reminded the Council Members of literature previously submitted concerning how the fund would operate if the Council decides to implement the tax. Though he does not want to add an extra tax, Mr. Papacek would support the Jail - Juvenile COIT Tax because (1) this new tax would put a cap on property taxes associated with the Jail and Kinsey Center and (2) for people who work in Howard County but do not live in Howard County, a portion of the tax would stay in Howard County in lieu of being sent to the county of residence. Mr. Ellison agrees with Mr. Papacek in theory, but he has received many calls against the COIT Tax, and as a representative of his constituents, he cannot support the tax at this time. President Miller reported on the number and content of calls he has received, to this point. Several of the calls indicated they thought someone else should pay instead of the taxpayer. President Miller reminded the Council and citizens that our system of government demands that in order for citizens to enjoy some measure of safety, law breakers will be incarcerated. It is then incumbent upon the taxpayer to care for the inmates. The alternative would be to not arrest them for their crimes, putting an even greater burden on society. Mr. Miller explained that the COIT tax would be paid by wage earners rather than property owners. President Miller opened the floor for public comment. In response to one of the questions, Attorney Larry Murrell clarified that the new state statute allows the initial tax (.25%) to be imposed on the resident county taxpayer and ¼ of that initial tax be imposed on the non-resident county taxpayer. The current statute provides that all the COIT tax goes to the resident

county. Further comments and illustrations were given by Kinsey Director Jan Weaver, Chief Deputy Auditor Laurie Roper, Sheriff Marshall Talbert, Councilman Wyman, Commissioner Bagwell, and Treasurer Martha Lake. The County is at its maximum levy at this time; property taxes cannot be raised. In order to address the rising costs of inmate care, we can chose to allow taxes to remain as they are, and decrease county services to the citizens of Howard County, or we can support the COIT tax imposed on wage earners in Howard County. This is, in essence, a pilot program and the State and other Counties in Indiana are looking at Howard County to see how we handle this situation. Councilman Stout appreciates Howard County and loves being a Councilman. He does not know of a better way to handle the situation at this time than the Jail - Juvenile COIT tax. Further discussion followed concerning the amount of 3.3 million to be frozen for Juvenile and Jail operating costs (not to be subject to the 4% growth), and the use of the new fund when the frozen levy has been exhausted (yearly).

The deadline for decision on this issue is April 1, 2007; the next Council session is March 27, 2007. There being no motion on the proposed Ordinance at this time, the discussion for the Jail - Juvenile COIT Tax was continued to the March Council meeting.

**IN THE MATTER OF HAYNES-APPERSON LICENSE PLATE:**

Councilman Wyman informed the Council of the State Legislature's approval of a Haynes-Apperson license plate available for Howard County. For a cost of \$50.00 the license plate can be purchased and displayed for a two month time period around the festival. Proceeds will go to help preserve the automotive heritage in the community. Anyone interested can contact Councilman Wyman.

There being no further business to come before the Council at this time, the meeting was adjourned at 9:34 p.m. on a motion made by Mr. Stout and seconded by Mr. Ellison.

**HOWARD COUNTY COUNCIL:**

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RICHARD A. MILLER, PRESIDENT

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JAMES PAPACEK, VICE PRESIDENT

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PAUL G. WYMAN, COUNCILMAN

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STANLEY ORTMAN, COUNCILMAN

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LESLIE ELLISON, COUNCILMAN

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JEFFREY STOUT, COUNCILMAN

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JOSPEH PENCEK, COUNCILMAN

ATTEST:

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ANN WELL, AUDITOR

County Council Meeting February 27, 2007