

HOWARD COUNTY COUNCIL REGULAR MEETING NOVEMBER 27, 2007

The Howard County Council met Tuesday, November 27, 2007, at 7:00 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 RESOLUTION NO. 2007-HCCR-31:

Resolution No. 2007-HCCR-31, presented by County Attorney Murrell, "a Resolution of the Howard County Council, hereby recognizes and honors the life and service of Dr. Douglas "Dan" Hogan III, who passed November 25, 2007." As well as being a participant in several Howard County organizations, Dr. Hogan served "with distinction" as a Howard County Councilman for the 3rd district, from 1983 through 1986. A motion was made by Mr. Ellison, seconded by Mr. Papacek and carried to approve Resolution No. 2007-HCCR-31. The Council expressed their condolences to Dr. Hogan's family.

IN THE MATTER OF APPROVAL OF THE MINUTES:

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

IN THE MATTER OF SHERIFF'S DEPARTMENT PENSION PLAN:

Mr. Craig Dunn and Elaine Beatty, from McCready and Keene, were in attendance to present the following pension issues for Council information and approval:

1. **COLA For Retirees Prior To January 1, 2000:** At the July 24th Council meeting, Mr. Dunn and Ms. Beatty reminded the Council of discussions to improve the Police Retirement Benefit Plan by adding a Cost Of Living Adjustment (COLA) for retirees prior to January 1, 2000 (*please refer to page one, "In The Matter Of The Sheriff's Pension Report", of the Regular Meeting Minutes dated July 24, 2007*). A letter from the Howard County Sheriff's Merit Board was submitted, recommending the proposed addition of a Cost Of Living Adjustment for retirees prior to January 1, 2000. At the conclusion of ensuing discussion, a motion was made by Mr. Wyman, seconded by Mr. Papacek and carried to approve the Merit Board's recommendation, as submitted, of the addition of a Cost Of Living Adjustment for those retiring prior to January 1, 2000.
2. **Change Of Trustee:** A letter has been received from Harris Bank terminating their role as Trustee of the Police Retirement and Benefit Plans. The Merit Board recommends First Farmers Bank & Trust as the new trustee, beginning January 1, 2008. On a motion made by Mr. Papacek and seconded by Mr. Wyman, First Farmers Bank & Trust was appointed as trustee for both plans. Mr. Dick Russell and Mr. Dave Hammond, of the Howard County Sheriff's Merit Board, were recognized and introduced to the Council.

IN THE MATTER OF ORDINANCE NO. 2007-HCCO-43 - ADDITIONAL APPROPRIATIONS:

Ordinance No. 2007-HCCO-43 - Additional Appropriations was read in full by Auditor Ann Wells and acted upon as follows:

<u>001</u>	<u>Howard County General Fund:</u>	<u>REQUESTED:</u>	<u>APPROVED:</u>
<u>035</u>	<u>Kinsey Youth Center</u>		
01119.02	Part Time Shift Supervisor	\$ 1,600.00	\$ 1,600.00
<u>037</u>	<u>Kinsey Youth Center</u>		
01119.02	Part Time Shift Supervisor	\$ 1,600.00	\$ 1,600.00
01113.01	Residential Program Director	\$ 3,200.00	\$ 3,200.00
02374.05	Resident Needs	\$ 5,000.00	\$ 5,000.00

		REQUESTED:	APPROVED:
<u>038</u>	<u>Kinsey Youth Center</u>		
01119.02	Part Time Shift Supervisor	\$ 1,600.00	\$ 1,600.00

A motion was made by Mr. Papacek, seconded by Mr. Ortman and carried to approve the Additional Appropriations request as submitted.

<u>010</u>	<u>Howard County Health Fund</u>		
01523.00	Insurance	\$ 7,000.00	\$ 7,000.00

Nursing Coordinator Jennifer Sexton presented this request for funds to cover the recent insurance re-bill.

The request for \$7,000.00 in line item 01523.00, Insurance, was approved on a motion made by Mr. Stout and seconded by Mr. Ellison.

<u>150</u>	<u>Howard County CCD Fund</u>		
03000.00	Other Services & Charges	\$ 6,000.00	\$ 6,000.00

<u>500</u>	<u>CEDIT Fund</u>		
03701.00	Jail Study	\$ 2,000.00	\$ 2,000.00

Commissioner Brad Bagwell spoke to both of the requests. The Cumulative Capital request is for the invoice for the battery backup system at the new emergency tower. This system supplies power to the radios until the generator is engaged.

The \$2,000.00 request from CEDIT Fund is the remaining invoice of the Jail Study Addendum that should have been added to the \$3,000.00 request approved at the October Council Meeting (*please refer to page two, 500 CEDIT FUND, \$3,000.00 of the Regular Council Meeting Minutes dated October 23, 2007*).

A motion was made by Mr. Papacek, seconded by Mr. Ortman and carried to approve the Cumulative Capital and CEDIT requests as submitted.

<u>182</u>	<u>Howard County Sheriff LEEF Fund</u>		
03213.00	Travel & Training	\$ 939.00	\$ 939.00

Sheriff Talbert requested that \$939.00 be appropriated from the cash in this fund to the travel and training account line.

The appropriation was approved as submitted on a motion made by Mr. Ortman and seconded by Mr. Ellison.

<u>515</u>	<u>Howard County Sheriff Misdemeanant Fund</u>		
04723.00	Vehicle	\$ 13,090.73	\$ 13,090.73
04721.00	Equipment	\$ 4,175.00	\$ Withdrawn
	<i>Spray Foam Insulation & Remounting PT400UA 10 Mavron Unit</i>		

Sheriff Talbert requests this appropriation to replace one of the transport vehicles (with 150,000 miles). Mr. Talbert will withdraw this request because he does have enough funds to cover this account from the amount appropriated for a new dryer that will not be purchased at this time.

The Misdemeanant Fund request for \$13,090.73 in line item 04723.00, Vehicle was approved on a motion made by Mr. Papacek and seconded by Mr. Stout.

The action to withdraw the request of \$4,175.00 to line item 04721.00, Equipment and use funds appropriated for a new dryer for the spray foam insulation and remounting of the Mavron Unit was approved on a motion made by Mr. Ortman and seconded by Mr. Pencek.

TOTAL MISDEMEANANT FUND		\$ 17,265.73	\$ 13,090.73
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TOTAL ADDITIONALS ALL FUNDS		\$ 46,204.73	\$ 42,029.73
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IN THE MATTER OF RESOLUTION NO. 2007-HCCR-30-TRANSFERS:

Resolution No. 2007-HCCR-30 - Transfers was read in full by Auditor Ann Wells and acted upon as follows:

Transfer From:	To:	AMOUNT REQUESTED:	ALLOWED:
<u>001</u>	<u>Howard County General Fund</u>		
<u>003</u>	<u>Howard County Treasurer</u>		
01117.00	Part Time	01114.00 Job Share	\$ 1,000.00 \$ Table

Treasurer Martha Lake would like to table this request until the December 11th meeting. The request to table the transfer was approved on a motion made by Mr. Papacek and seconded by Mr. Ortman.

<u>008</u>	<u>Howard County Superior Court II</u>		
01119.00	Secretary	01114.00 Bailiff (01118, Overtime)	\$ 530.40 \$ 530.40
01119.00	Secretary	01118.00 Court Reporter (01118, Overtime)	\$ 944.50 \$ 944.50

A letter has been received from Superior Court II Judge Jessup explaining that these requests are to reduce Compensatory time issues in the Court. Although the original request specified Bailiff and Court Reporter line items, the intent of the request is to transfer funds into the Overtime line item (01118.00)

A motion was made by Mr. Papacek , seconded by Mr. Ortman and carried to transfer \$530.40 and \$944.50 from line item 01119.00, Secretary to the newly created 01118, Overtime line item.

<u>023</u>	<u>Howard County Commissioners</u>		
03512.00	Insurance Bldgs & Vehicles	01521.00 FICA	\$ 50,000.00 \$ 50,000.00
03513.00	Insurance Deductible	01521.00 FICA	\$ 6,000.00 \$ 6,000.00
03513.00	Insurance Deductible	01522.00 PERF	\$ 34,000.00 \$ 34,000.00
03514.00	Ins / Workmen's Comp	01522.00 PERF	\$ 5,000.00 \$ 5,000.00
03610.00	Mental Health Levy Payment	01522.00 PERF	\$ 9,713.00 \$ 9,713.00
03121.00	Maint & Service / Personnel	03241.22 Printing	\$ 450.00 \$ 450.00

Mr. Raver and Ms. Wells informed the Council that these are year-end clean-up requests generated by the Auditor's Office. Attorney Murrell reminded Auditor Wells that money was needed in the Insurance Deductible line item for expected invoices to be paid yet this year. Personnel Director Wanda McKillip explained that the request to transfer is to establish a printing line item to purchase time cards and Employee Service Records for Howard County offices.

At the conclusion of ensuing discussion a motion was made by Mr. Papacek, seconded by Mr. Ellison and carried to approve the transfer requests as submitted.

<u>035, 037, 038</u>	<u>Kinsey Youth Center</u>		
01115.00	Secretary / Bookkeeper	01117.00 Youth Manager	\$ 3,000.00 \$ 3,000.00
01118.00	Nurse	01117.00 Youth Manager	\$ 2,700.00 \$ 2,700.00
01120.02	Cook	01117.00 Youth Manager	\$ 4,800.00 \$ 4,800.00
01115.00	Secretary / Bookkeeper	01112.02 Maint Tech One	\$ 399.00 \$ 399.00
01120.02	Cook	01113.01 Direct Res Program	\$ 282.00 \$ 282.00
01119.01	Shift Supervisor	01113.01 Direct Res Program	\$ 900.00 \$ 900.00

Ms. Weaver explained that more money was needed in the Youth Manager line item to compensate a manager and technician for the additional training received. The other transfers are year-end clean up issues.

A motion was made by Mr. Ortman and seconded by Mr. Papacek to approve the transfers as submitted. A vote was taken with four Aye votes and two Nay votes.

<u>011</u>	<u>Howard County Reassessment Fund</u>		
03511.00	Professional Services	01114.00 Part Time Clerical	\$ 7,000.00 \$ 7,000.00

County Assessor Jamie Shepherd submitted a letter explaining the need for additional funds in the part time clerical line item.

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

IN THE MATTER OF SALARY ORDINANCE NO 2007-HCCO-44 - AMENDING SALARY ORDINANCE FOR 2007:

Salary Ordinance No. 2007-HCCO-44 - Amending Salary Ordinance for 2007 was read in full by Auditor Ann Wells and acted upon as follows:

		REQUESTED:	APPROVED:
<u>001</u>	<u>Howard County General Fund</u>		
<u>005</u>	<u>Howard County Sheriff</u>		
01125.00	Nurse Administrator	\$ 48,260.00	\$ 48,260.00
01125.01	Assistant Nurse (2)	\$ 40,349.00	\$ 40,349.00

A motion was made by Mr. Papacek, seconded by Mr. Ortman and carried to approve the Sheriff Nursing salary requests as submitted.

<u>008</u>	<u>Howard County Superior Court II</u>		
01113.00	Court Reporter	\$ 944.50	\$ Withdraw
01114.00	Bailiff	\$ 530.40	\$ Withdraw

Amounts requested do not change Regular Salary., Compensatory Time is over allowed amounts and will be paid down.

<u>035 037 038</u>	<u>Howard County Kinsey Youth Center</u>		
New **	Maintenance Tech One	\$ 32,428.00	\$ 32,428.00

*Requesting that Labor/Maintenance promote to Tech
Current salary \$30,078 plus 3% for 2008*

01113.01	Residential Program Director	\$ 42,576.00	\$ 42,576.00
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These are the two Kinsey employees that received further education and training for their position. The Maintenance Tech One position will be retroactive to October 1, 2007 and the Residential Program Director will be retroactive to June 1, 2007. Motions were made by Mr. Papacek, seconded by Mr. Pencek and carried to approve the requests as submitted.

<u>923 924 925</u>	<u>Howard County Community Corrections</u>		
	Director	\$ 47,653.00	\$ 47,653.00
	Assistant Director	\$ 37,933.00	\$ 37,933.00
	Home Detention Coordinator	\$ 30,882.00	\$ 30,882.00
	Community Service Coordinator	\$ 29,741.00	\$ 29,741.00
	Programs Supervisor	\$ Review	\$ 33,990.00
	Transition / Re-entry Coordinator	\$ Review	\$ 37,080.00
	Field Officers (3)	\$ 33,060.00	\$ 33,060.00
	Tech Assistant	\$ 37,933.00	\$ 37,933.00
	Case Workers (2)	\$ Review	\$ 31,996.00

****Community Corrections Salaries will be effective 2008*

Community Corrections Director Steve Maus presented the 2008 salaries to the PAC Committee and the requests were approved by them. Unfortunately what was presented was the former year's salary schedule. He further spoke to the requests and reminded them of the 3% increase for employees in 2008. These salaries are not paid from County General money. Mr. Bagwell, chairman of the Community Corrections Committee, answered several questions posed by the Council Members. Mr. Maus is requesting that his case workers make the same salary as the Kinsey Youth Center caseworkers. Discussion ensued.

A motion was made by Mr. Wyman to approve the salary requests as listed, the Programs Supervisor at \$33,990.00, Transition / Re-entry Coordinator at 37,080.00 and Case Worker at \$31,996.00. The motion was seconded by Mr. Stout and carried.

IN THE MATTER OF THE MS4 BUDGET REQUEST FOR 2008:

Howard County Surveyor Jake Grimme and Chief Deputy Surveyor Greg Lake continued discussion of the MS4 budget which was tabled at the 2008 budget hearings. Mr. Grimme outlined the increased workload in his office and cautioned that the MS4 operation is beginning to detract from the Surveyor's obligations. Mr. Lake then presented substantially the same \$500,000.00 budget as presented at budget hearings and advised he believes the County needs to establish an MS4 operation separate from the Surveyor's operations. Mr. Murrell explained the legal steps required to establish an MS4 fee, if the County chose to do so.

IN THE MATTER OF PERSONNEL DEPARTMENT ISSUES:

Personnel Department Director Wanda McKillip submitted the following PAC Committee Recommendations for Council information and approval:

1. **Establishing Guidelines On The 90-95% Wage Policy For Nurses At The Sheriff And Kinsey Youth Center:** Ms. McKillip submitted the **PAC Committee's recommendation for the wage policy for nurses at the Sheriff's Department and Kinsey Youth Center at 90% of the wage for the ninety (90) day probationary period, then go to the full 100% on the 91st day of employment.** The Howard County Board of Commissioners recommended a 95% wage for the 90 Day probationary period, then the full 100% on the 91st day. A motion was made by Mr. Papacek to approve the recommendation of the Board of Commissioners for nurses of the Sheriff's Department and Kinsey Youth Center to collect 95% of the salary for the 90 day probationary period then collect 100% on the 91st day. The motion was seconded by Mr. Ortman and carried. As a point of clarification for the Sheriff's Department, the \$5,000.00 increase that was approved for the Sheriff's Department Nurses, is to be added onto the salary after the 3% increase of the 2007 salary.
2. **Council Appointments:** Ms. McKillip submitted the list of Council Appointments that will expire December 31, 2007. These appointments will be tabled until the December 11th Council meeting.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

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

1. **Lawsuit Against Contractual Medical Service:** Sheriff Talbert, Attorneys Murrell and Howard Williams are watching a lawsuit in Jackson County pertaining to an inmate's death. Allegations have been made against the contracted Medical Service provider: that these service providers are used to save money, providing inadequate care to the inmates.
2. **DOC Check:** Sheriff Talbert presented a reimbursement check in the amount of \$14,665.00, to the Auditor's Office to receipt into the County General Fund.

There being no further business to come before the County Council, at this time, the meeting was adjourned at 9:50 p.m. on a motion made by Mr. Papacek and seconded by Mr. Ellison.

HOWARD COUNTY COUNCIL:

RICHARD A. MILLER, PRESIDENT

JAMES T. PAPACEK, VICE PRESIDENT

PAUL G. WYMAN, COUNCILMAN

LESLIE ELLISON, COUNCILMAN

STANLEY ORTMAN, COUNCILMAN

JEFFREY STOUT, COUNCILMAN

JOE PENCEK, COUNCILMAN

ATTEST:

ANN WELLS, AUDITOR

Howard County Council Meeting November 27, 2007