

HOWARD COUNTY COUNCIL REGULAR MEETING APRIL 24, 2007

The Howard County Council met Tuesday, April 24, 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, Leslie Ellison, Jeffrey Stout, Joseph Pencek and Paul 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 OPENING COMMENTS BY THE COUNCIL:

When President Miller opened the floor for Council comment, Vice President James Papacek recognized President Miller for his thirty years of service to Howard County in the position of Councilman (May 1st), and his family's fifty-six years of political service in Howard County. Mr. Miller received a Certificate of Appreciation, signed by the Board of Commissioners, and appreciation was expressed by all in attendance.

Councilman Ellison reported that he attended the March City Council meeting.

President Miller recognized Councilman Napoleon Leal.

IN THE MATTER OF ORDINANCE NO. 2007-HCCO-17 - ADDITIONAL APPROPRIATIONS:

Ordinance No. 2007-HCCO-17 - Additional Appropriations was read in full by Auditor Ann Wells and acted upon as follows:

APPROPRIATIONS REQUESTED:	REQUESTED:	APPROVED:	
<u>001</u>			
	<u>Howard County General Fund</u>		
<u>005</u>	<u>Howard County Sheriff</u>		
01114.00	Court Security Officer (2)	\$ 57,148.00	\$ 57,148.00
01140.01	Overtime	\$ 2,000.00	\$ 2,000.00
01332.00	Uniform - Court Security Officer	\$ 800.00	\$ 800.00
03613.00	ID Badge System	\$ 1,000.00	\$ 1,000.00

Sheriff Talbert reported to the Council that the Courthouse security equipment has arrived and been installed. Two Sheriff's Deputies have received training, and Sheriff Talbert is ready to hire two additional security officers. The uniform request is for the new Court security officers, and the ID Badge System is for additional needed access cards to the West Courthouse door and the Criminal Justice facility. Councilman Wyman asked Sheriff Talbert to speak to hiring new officers in lieu of contracting out to a security business. Sheriff Talbert believes that the officers need to have law enforcement experience with power to "arrest" an offender and to be able to properly process evidence, and submit the needed paperwork to the Prosecutor's office, in the event that contraband is found or a wanted felon is discovered.

Appreciation was expressed to the Sheriff and his department, and a motion was made by Mr. Wyman to approve the requests as listed above. The motion was seconded by Mr. Ellison and carried.

Sheriff Talbert informed Mr. Wyman and the other Council Members of the continuing security education he hopes to procure in the form of a training session, here, in Howard County, and working with the TSA (Federal Airport Authorities) on the use of the security equipment (x-ray machine and metal detector).

<u>009</u>	<u>Howard County Coroner</u>		
03263.02	Autopsy & Lab	\$ 15,000.00	\$ 15,000.00

Councilman Stout presented the request for the Coroner's office, for additional funds in Autopsy & Lab, in the amount of \$15,000.00 to cover present and future autopsies for most of the year.

A motion was made by Mr. Papacek to approve the request of \$15,000.00 to line item 03263.02, Autopsy & Lab. The motion was seconded by Mr. Ortman and carried. Mr. Stout abstained from the vote.

<u>018</u>	<u>Howard County Maintenance</u>		
02253.00	Equipment Repair Supplies	\$ 6,500.00	\$ 6,500.00

Buildings and Grounds Supervisor Art Fross requested these funds for an emergency situation in the Government Center involving the repair of pumps and grinders. This cost was not included in the original budget request. He has enough funds to cover the request at present, but will need reimbursement, per this request. The repair was ordered and approved by the Board of Commissioners.

The request, as presented, was approved on a motion made by Mr. Ortman and seconded by Mr. Stout.

Mr. Fross took this opportunity to inform the Council and Commissioners in attendance, that MacAllister Machinery Company has installed and tested the Generator, and that J & J Electric is finished installing the electrical work for the new Emergency Tower. Integrity is in the process of moving the equipment, and some is being used, currently. A Preventative Maintenance Program Agreement will be presented at the next Board of Commissioners' Meeting

<u>030</u>	<u>Howard County Public Defender</u>		
03614.00	Investigator / Court Ordered	\$ 6,000.00	\$ Tabled

In the absence of Public Defender Steve Raquet, Auditor Wells and Attorney Murrell informed the Council of a pending claim for Court ordered investigative work, from Special Judge Ridlen, for a case in Superior Court II. There is currently no Investigation line item in the Public Defender's account and Mr. Murrell is unclear as to whether this is a mandate from the Judge. A motion was made by Mr. Ortman, seconded by Mr. Papacek and carried to table the request.

<u>034</u>	<u>Howard County Adult Probation</u>		
01112.05	Line Probation Officer (New)	\$ 27,588.00	\$ 27,588.00

Chief Adult Probation Officer Gary Conwell reminded the Council that when the State determined the budget for the New Court (Superior IV), a provision was made for one new probation officer. Mr. Conwell did not request an additional officer at that time, because he did not have the figures to justify the request. He is now in a position to justify the need for an additional officer. Mr. Conwell informed the Council that before the addition of Superior Court IV the Probation Department averaged 2,300 probationers per quarter. Since the addition of the fourth Superior Court, the number has increased to over 2,700 probationers per quarter. He continued to offer up statistics concerning hours spent on reports, probationers, and weekly courtroom time, including the Drug and Alcohol program.

A motion was made by Mr. Papacek to approve the request of \$27,588.00 in line item 01112.05, Line Probation Officer (New). The motion was seconded by Mr. Pencek and carried.

TOTAL GENERAL FUND		\$ 116,036.00	\$ 110,036.00
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<u>002</u>	<u>Howard County Highway Department Fund</u>		
14140.00	Overtime	\$ 18,000.00	\$ 18,000.00
22321.00	Gas, Oil & Lube	\$ 35,000.00	\$ 35,000.00
22430.00	Bituminous	\$ 560,000.00	\$ 560,000.00
31220.00	Utilities	\$ 7,000.00	\$ 7,000.00

<u>006</u>	<u>Howard County Cumulative Bridge Fund</u>		
3225.00	Maintenance & Repair By Contract	\$ 160,000.00	\$ 160,000.00

<u>007</u>	<u>Howard County Local Road & Street Fund</u>		
23745.00	Bituminous	\$ 70,000.00	\$ 70,000.00
33760.00	CR 100 South Goyer Rd to New By-Pass	\$ 10,000.00	\$ 10,000.00

Mr. Cain informed the Council that these requests reflect the cash that is left over from the previous year, to be appropriated to this year's operating budget. The majority of the requests will go toward the paving project. The request in the Cumulative Bridge Fund will help with some drainage projects, as well as bridge projects. The \$10,000.00 request into 33760.00, CR 100 South Goyer Rd to New By-Pass, is to begin building the account so money will be available to work on the roads leading up to the New By-Pass, as it becomes needed. President reminded the Council that the budget process and request for the Highway Department is different than the County General Fund and the other departments. On request, Mr. Cain explained the schedule for the New By-Pass beginning in the year 2008, and informed the Council that he

believes it's best for the County that the Highway Department does work on the roads leading to the interchanges **after** the interchanges have been completed.

At the conclusion of questions asked by various Council Members, a motion was made by Mr. Papacek to approve the Highway appropriation requests as listed above. The motion was seconded by Mr. Ortman and carried. Mr. Cain invited Council Members to feel free and come to the Highway Department and peruse the budget books if they have any questions or concerns.

TOTAL HIGHWAY DEPARTMENT FUND	\$ 620,000.00	\$ 620,000.00
TOTAL LOCAL ROAD & STREET FUND	\$ 80,000.00	\$ 80,000.00

150	<u>Howard County Cumulative Capital Fund</u>		
04721.05	Equipment - Sheriff/ Police Equipment <i>(Court Security Equipment) No Commissioner approval on file</i>	\$ 3,800.00	\$ 3,800.00
04035.00	Equipment - Kinsey Youth Center <i>(Heat Pump, Water mixers) Commissioner Approval 02/19/07</i>	\$ 6,000.00	\$ 6,000.00
04018.00	Equipment - Maintenance <i>(Inmate Work Crew Mower) No Commissioner Approval on file</i>	\$ 4,500.00	\$ 4,500.00

Sheriff Talbert explained that this request is for radios and Garrett hand held metal detectors for the additional security at the Courthouse. The request, in the amount of \$3,800.00, was approved as listed on a motion made by Mr. Papacek and seconded by Mr. Wyman.

Kinsey Youth Center Director Jan Weaver spoke to the need for the replacement of a heat pump and water mixers at the Center, as well as a new boiler. These requests were approved by the Board of Commissioners in February and March, 2007. A motion was made by Mr. Ortman, seconded by Mr. Ellison and carried to approve the request of \$6,000.00 in line item 04035.00, Equipment - Kinsey Youth Center.

Mr. Art Fross informed the Council that he authorized the purchase of a new mower for the Inmate Work Crew. The cost of the new mower was \$4,500.00 and \$2,148.00 worth of credit was received on a trade in of the old mower. The Inmate Work Crew has already used the newly purchased mower at Howard Haven, and has contracted for several projects with Township Trustees. A motion was made by Mr. Ortman, seconded by Mr. Stout and carried to approve the request of \$4,500.00 in line item 04018.00, Equipment - Maintenance.

250	<u>MS4 User Fee Fund</u>		
03120.00	Contract Services	\$ 25,000.00	\$ 25,000.00

Surveyor Chief Deputy Greg Lake addressed the Council concerning this User Fee Fund for the Municipal Separate Storm Sewer Systems (MS4). There are currently Ordinances on the books for MS4 and the Rule 5 permits, requiring technical reviews of plans submitted. This request is to appropriate user fee funds to underwrite the required plan reviews through the end of this year. President Miller reminded the Council that this is a Federal mandate through the Clean Water Act. Howard County would be subject to a fine if procedures were not followed, or complaints were received.

A motion was made by Mr. Wyman, seconded by Mr. Ellison and carried to approve the request of \$25,000.00 to line item 03120.00, Contract Services

515	<u>Howard County Misdemeanant Fund</u>		
04721.00	Equipment <i>(14 High Back Chairs - \$201 each, total \$2,814)</i> <i>(Round Table Top - Mahogany, \$224)</i> <i>(Single Column Table Base, \$173)</i> <i>(Digital Duplex Copier / Laser Printer, \$600)</i> <i>(Desk height left return, \$380)</i> <i>(2 Laser / Fax / Copier Stands \$210 each, total \$420)</i> <i>(Stack on Storage Hutches, \$250)</i> <i>(Step Stool, \$62, and Pulse Oximeter, \$325)</i>	\$ 5,248.00	\$ 5,248.00

Sheriff Talbert explained that these pieces of equipment are for the Administrative offices and the nursing office at the Criminal Justice Center. In answer to Council questioning, Sheriff Talbert informed them that Howard County received \$66,500.00 in Misdemeanant Grant money this year. The Department of Corrections confirmed that an additional \$66,500.00 will be granted in September. Councilman Wyman made reference to a rescue performed in the Criminal Justice Center parking lot, concerning a man who had died but was resuscitated by the jail nursing staff and corrections

officers. Sheriff Talbert commended Nurse Rhonda Goforth, and her staff, for the fine job they are doing. He thanked Mr. Wyman for his acknowledgment.

The Misdemeanant Fund appropriations request of \$5,248.00 in line item 04721.00, Equipment, was approved on a motion made by Mr. Wyman and seconded by Mr. Ellison.

IN THE MATTER OF RESOLUTION NO. 2007-HCCR-10 - TRANSFERS:

Resolution No. 2007-HCCR-10 - Transfers was read in full by Auditor Ann Wells and acted upon as follows:

	Transfer From:	To:	Amount Requested:	Allowed:
001	<u>Howard County General Fund</u>			
35-37-38	01112.01	01117.02 Part Time Labor/Maint <i>New Line Item 2007 Budget</i>	Any Amount Reimbursed for Workman's Compensation Claim	\$ Any amount reimbursed for Workman's Compensation Claim

Full Time Employee is collecting Workman's Compensation. Insurance reimburses County 66% of the Salary. Money is needed to pay Part -Time replacement.

Jan Weaver informed the Council that one of her employees is on Workman's Compensation for an injury received while working. Ms. Weaver requests that the insurance money be appropriated to the requested line items to cover replacement labor now, and when he is able to come back to work, with limitations. A motion was made by Mr. Ortman, seconded by Mr. Ellison and carried to approve the new line item and appropriation as requested.

150	<u>Howard County Cumulative Capital Fund - Information Systems</u>			
03120.02	Contract Services	03212.00 Postage <i>New Line Item - 2007 Budget</i>	\$ 250.00	\$ 250.00

Information Systems Director Terry Tribby requests the creation of a new line item in his budget for postage. Often Mr. Tribby has to ship equipment for repair.

A motion was made by Mr. Papacek, seconded by Mr. Stout and carried to approve the transfer request of \$250.00 from 03120.02, Contract Services, to 03212.00, Postage.

IN THE MATTER OF AN AMENDMENT TO THE TRAVEL POLICY, RESOLUTION NO. 1998-HCC-21:

Auditor Ann Wells informed the Council of a questionable claim that precipitated an amendment to the Travel Policy, Resolution No. 1998-HCC-21. A claim had been turned in for a meal per diem that was not purchased. When Ms. Wells took the claim to the April 16th Commissioner Meeting for their decision, the Board of Commissioners decided to amend the Travel Policy, requiring a receipt for all meal per diem reimbursements (*please refer to page six, item 7c of the Commissioner Meeting minutes dated April 16, 2007*). A motion was made by Mr. Papacek, seconded by Mr. Ortman and carried to approve the amendment to the Travel Policy, Resolution No. 1998-HCC-21, requiring a receipt for all meal reimbursements, effective May 1, 2007.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

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

1. **Reimbursement Checks:** Sheriff Talbert presented three reimbursement checks to Auditor Ann Wells, in the amounts of \$15,645.00, \$53,375.00, and \$20,930.00.
2. **Commissary Reports:** The Sheriff's Commissary Reports for the month of February and March, 2007, were submitted to the Council. Sheriff Talbert reminded the Council of the loss of the phone commission revenue (*please refer to page five, item one, of the Regular Council Meeting minutes dated February 27, 2007*). Keefe Commissary made a presentation to the Board of Commissioners at their April 2nd meeting. At that time Keefe

also presented JPay, a company that provides electronic deposits into inmate commissary accounts. A contract has been submitted and is in the process of negotiations.

3. **Bomb Sniffing K-9:** The Sheriff's Department has received over \$4,000.00 to help fund the Bomb Sniffing K-9; much of that amount is in the form of donations, and Sheriff Talbert recognized the donation from Councilman Wyman. Sheriff Talbert received word from the Department of Homeland Security that they will not be hearing the grant request for the K-9 until October. A cell phone company contacted the Sheriff's Department, offering their services to buy back used cell phones, if the Department decided to do a fund raiser.
4. **Loss Of Employees:** The Sheriff reported the loss of two officers to other employment. He also reported the passing of Assistant Jail Commander Sheila Wyrick. Ms. Wyrick was a twenty year veteran of the department and Sheriff Talbert commended her as "a valuable employee and a good person; we're going to miss her dearly at the jail". One deputy is still on long term medical leave.
5. **Pharmacy Costs:** Howard County spent about \$64,000.00 on inmate pharmacy needs, last year. HPL, the current health care provider for the inmates, believes it will help save costs if we used a mail order provider, Diamond, for the medicines needed. Nurse Administrator Rhonda Goforth has experience dealing with Diamond Pharmaceuticals. Our local provider, Herbst Pharmacy, would like to continue servicing the inmates; a decision has not yet been reached.
6. **Visit From DOC Commissioner:** Department of Corrections Commissioner, J. David Donahue, visited with Community Corrections Director Steve Maus. He then toured the Criminal Justice Facility. He commented to Sheriff Talbert that it is one of the cleanest correctional facilities he has seen in the State of Indiana.
7. **Sheriff Talbert Received Criticism At Local Realtor's Meeting:** Sheriff Talbert has been concerned over criticism he reportedly received at a recent Local Realtor's Meeting; specifically new LED light bars purchased for patrol vehicles. Sheriff Talbert wanted the Council to understand that when he equips his officers with the best equipment, it is for safety reasons. It has been scientifically proven that LED lights are much more visible to the human eye than Halogen lights. That is why the Indiana Department of Transportation is using them in traffic signals and why new vehicles are being equipped with them. As a County, we are asking these officers to respond to emergencies and put their safety on the line, daily, and Sheriff Talbert believes that we owe the officers the best technology we can afford to buy them. Sheriff Talbert has not asked for additional money from County General. He uses his Accident Report and Misdemeanor Funds to provide the equipment; he does not understand where the criticism comes from. He continued to assure the Council that he cares for every employee in his department, and will do his best to insure their safety.

Vice President James Papacek commended Sheriff Talbert for the fine job he is doing and the way he scrutinizes the use of his funds. He assured the Sheriff of the Council's continued support.

Discussion ensued and Councilmen Pencek and Councilman Wyman assured Sheriff Talbert that, as participants of that meeting, the discussion he referenced was not meant to be a direct criticism of Sheriff Talbert or his Department. That particular meeting was to discuss other alternatives to the rising costs of the property taxes. Discussion pertaining to decreasing operating costs was a part of the meeting.

There being no further business to come before the Council at this time, the meeting was adjourned at 8:22 p.m. on a motion made by Mr. Papacek and seconded by Mr. Ortman.

HOWARD COUNTY COUNCIL:

RICHARD A. MILLER, PRESIDENT

JAMES T. PAPACEK, VICE PRESIDENT

PAUL G. WYMAN, COUNCILMAN

STANLEY E. ORTMAN, COUNCILMAN

LESLIE W. ELLISON, COUNCILMAN

JEFFREY A. STOUT, COUNCILMAN

JOSEPH A. PENCEK, COUNCILMAN

ATTEST:

ANN WELLS, AUDITOR
County Council Meeting April 24, 2007