

HOWARD COUNTY COUNCIL REGULAR MEETING NOVEMBER 25, 2008

The Howard County Council met Tuesday, November 25, 2008 at 7:00 p.m. in Room 338 of the Howard County Administration Center. Those present included President Richard Miller, Vice President James Papacek and Members Stanley Ortman, Jeff Stout, Joseph Pencek and Paul Wyman.

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

IN THE MATTER OF THE APPROVAL OF MINUTES:

The minutes of the October 28, 2008 Regular 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 COUNCIL OPENING COMMENTS:

Mr. Miller opened the floor for Council comment as follows:

1. Councilman Wyman asked to continue discussion of possible departmental budget decreases. Because the issue was tabled at the October Council meeting, President Miller will open the discussion under Old Business (*please refer to page one "In The Matter Of Council Opening Comments", of the Regular Meeting minutes dated October 28, 2008*).

IN THE MATTER OF ORDINANCE NO. 2008-HCCO-34 - ADDITIONAL APPROPRIATIONS:

Auditor Ann Wells read Ordinance No. 2008-HCCO-34 - Additional Appropriations one time in full and it was acted upon as follows:

<u>001</u>	<u>Howard County General Fund</u>	<u>REQUESTED:</u>	<u>APPROVED:</u>
<u>009</u>	<u>Howard County Coroner</u>		
02360.00	Gas, Oil & Lubricants	\$ 500.00	\$ 500.00
03263.02	Autopsy & Lab	\$ 20,000.00	\$ 20,000.00

Mr. Papacek reminded the Council of the previous meeting when Coroner Brad Bray indicated he would need to ask for additional funds, especially in autopsies.

A motion was made by Mr. Papacek to approve the additional requests of \$500.00 to line item 02360.00, Gas, Oil & Lubricants, and \$20,000.00 into line item 03263.02, Autopsy & Lab. The motion was seconded by Mr. Ortman and carried.

<u>017</u>	<u>Howard County Voter Registration</u>		
01117.00	Part Time	\$ 850.00	\$ Denied - Transfer
01118.00	Part Time	\$ 850.00	\$ Denied - Transfer

Carol Shallenberger and Shirley McCoy of the Voters Registration Office submitted these additional requests for voting expenses. They justified additional money needed in the part time accounts to complete the registration process, do address changes and to cover office work during salaried workers' time away from the office. Mr. Ortman commented that Clerk Mona Myers has given permission to do a transfer from the Election Board account (001-016).

A motion was made by Mr. Ortman to deny the Additional request and to transfer the funds needed from the Election Board account. The motion was seconded by Mr. Wyman and discussion ensued. The motion was approved.

<u>018</u>	<u>Howard County Maintenance</u>		
02336.00	Institutional Supplies	\$ 5,000.00	\$ Withdrawn
03253.01	Equipment Repair – Jail	\$ 10,000.00	\$ Withdrawn

Assistant Buildings & Grounds Superintendent Scott Reed reported that his department was able to transfer the needed funds and would like to withdraw the Additional Appropriations request. The withdrawal of the Additional Appropriation requests from line items 02336.00, Institutional Supplies and 03253.01, Equipment Repair – Jail is approved on a motion

made by Mr. Stout and Mr. Pencek.

TOTAL COUNTY GENERAL FUND \$ 37,200.00 \$ 20,500.00

500 Howard County CREDIT Fund

3000.00 Other Services & Charges \$ 60,000.00 \$ Withdrawn

Commissioner Brad Bagwell explained to the Council Members that this request was pending Taylor Township Regional Sewer District being able to receive a guarantee from the City of Kokomo that a financial commitment was not required of the Taylor Twp. Regional Sewer District as the sponsoring group. That guarantee was not received by Taylor Township and this request is hereby withdrawn. A motion was made by Mr. Papacek, seconded by Mr. Stout and carried to accept the withdrawal of the request as submitted.

Responding to questions asked by Councilman Wyman, Commissioner Bagwell explained the situation for Darrough Chapel's sewer problems in greater detail.

515 Howard County Sheriff Misdemeanant Fund

04721.00 Equipment (Cameras & Collector) \$ 12,144.00 \$ 2,000.00

Sheriff Talbert explained that this request is for the digital camera system. The first collector that was installed is six years old and needs to be replaced. The technology has greatly increased since this four camera collector was installed, and Sheriff Talbert would like to replace it with a sixteen camera collector, recording twelve additional cameras. The recordings are invaluable as evidence. Sheriff Talbert is requesting \$2,000.00 in lieu of the original request of \$12,144.00.

A motion was made by Mr. Papacek to approve the Additional request of \$2,000.00 to line item 04721.00, Equipment. The motion was seconded by Mr. Pencek and carried.

TOTAL ADDITIONALS ALL FUNDS \$ 109,344.00 \$ 22,500.00

IN THE MATTER OF RESOLUTION NO. 2008-HCCR-21 – TRANSFERS:

Resolution No. 2008-HCCR-21 – Transfers was read in full one time by Auditor Wells and acted upon as follows:

	TRANSFER FROM:	TO:	AMOUNT	ALLOWED
			REQUESTED	
<u>001</u>	<u>Howard County General Fund</u>			
<u>002</u>	<u>Howard County Auditor</u>			
01114.00	Second Deputy	01118.00 Overtime	\$ 9,184.51	\$ 9,184.51
01116.00	GIS / Property Records Tech	01113.00 First Deputy	\$.44	\$.44
01116.00	GIS / Property Records Tech	01115.00 GIS Coordinator	\$ 14.43	\$ 14.43
01116.01	Tech	01117.00 Part Time	\$ 7,658.56	\$ 7,658.56
01112.00	Chief Deputy	01117.00 Part Time	\$ 813.78	\$ 813.78

Auditor Wells explained to the Council that she has an employee that will be retiring at the beginning of 2009 and an employee that has been on FMLA and may not be returning to work. That, together with changes determined by the legislature and demanded by the Department of Local Government Finance, creates the need for additional funds in the Part Time and Overtime line items to complete the work of the office. Ms. Wells also asked for permission to institute a vacation buy back option in the month of December, up to five days, for her employees because of the additional work of the office that needs to be completed and correct before the end of the year. She will not use the option unless it is necessary.

A motion was made by Mr. Wyman, seconded by Mr. Papacek and carried to approve the transfer as listed above. A motion was then made by Mr. Ortman, seconded by Mr. Papacek and carried to allow the Auditor's Office employees the option to buy back up to five days of vacation in the month of December, 2008, as necessary.

017 Howard County Voter Registration

03213.00	Travel & Training	02360.00 Office Supplies	\$ 100.00	\$ 100.00
03241.00	Printing	02360.00 Office Supplies	\$ 100.00	\$ 100.00
03260.00	Dues & Subscriptions	02360.00 Office Supplies	\$ 50.00	\$ 50.00

These transfers are needed for office supplies to use through the end of the year. Councilman Wyman asked about possible

cuts to the 2009 budget in the funds that money was transferred from. Ms. Shallenberger explained the need for amounts requested.

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

<u>023</u>	<u>Howard County Personnel</u>					
01120.00	Administrative Assistant	01121.00	Part Time	\$	138.73	\$ 138.73
02352.00	Immunizations	01121.00	Part Time	\$	500.00	\$ 500.00

Personnel Director Wanda McKillip justified the request for transfer by explaining that with the extra projects that were a part of the Personnel Office, this year, and the end of the present intern's tenure, there is need for extra funds in the Part Time line item.

The request for a transfer of \$138.73 from line item 01120.00, Administrative Assistant to line item 01121.00, Part Time, was approved on a motion made by Mr. Papacek and seconded by Mr. Wyman.

<u>032</u>	<u>Howard County Soil & Water Conservation</u>					
02360.00	Office Supplies	03216.00	Communications	\$	44.71	\$ 44.71

Auditor Wells submitted a letter received from Rene Weaver, Office Manager of the Soil & Water Conservation District, explaining that the request is to cover a communications invoice that has been submitted for payment.

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

<u>011</u>	<u>Howard County Reassessment Fund</u>					
04720.00	Computer System	01115.00	Overtime	\$	2,500.00	\$ 2,500.00

County Assessor Jamie Shepherd informed the Council that the Assessor's Office is in the process of rolling over the assessed value figures to the Auditor's Office. President Miller asked for an explanation of the word "rolling" and Ms. Shepherd proceeded to inform the Council of the process that is followed before values can be passed on to the Auditor's Office. Howard County was one of the first counties in the state to get the Sales Ratio Study approved. Normally once those figures were submitted to the Auditor's Office, the Assessors office could focus on the next year's duties. Now with the complexities of the upcoming Circuit Breaker, her office has to begin the process of evaluating properties. She continued to explain the process in greater detail.

At the close of ensuing discussion a motion was made by Mr. Wyman, seconded by Mr. Ortman and carried to approve the request to transfer \$2,500.00 from line item 04720.00 to line item 01115.00, Overtime.

<u>115</u>	<u>Howard County Inmate Work Program Fund</u>					
03252.00	Repair	02253.00	Supplies	\$	900.00	\$ 900.00

Sheriff Talbert commented that there is extra money in the repair line due to the good repair of their equipment and being able to have needed repairs done in house. Funds are needed in the supply line item.

The transfer was approved as submitted on a motion made by Mr. Ortman and seconded by Mr. Wyman.

Mr. Wyman commended the Work Crew for the fine work they are doing in the community. Sheriff Talbert also commended Officer Don Leffert for his leadership, and the County Council for their allowance of funds to purchase needed equipment for the Crew.

<u>252</u>	<u>Howard County Jail & Juvenile COIT Fund:</u>					
<u>025</u>	<u>Howard County Jail</u>					
01120.01	Part Time Corrections Officers	01120.00	Part Time Cook	\$	4,000.00	\$ 4,000.00

Head Cook Donna Walker has been deployed to active service and additional funds are needed to support part time workers until a replacement could be trained.

The transfer request was approved as submitted on a motion made by Mr. Papacek and seconded by Mr. Stout.

<u>035 037 038</u>	<u>Kinsey Youth Center</u>					
01113.00	Program Director	01117.00	Youth Managers	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00
01113.02	Caseworker	01117.00	Youth Managers	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
01115.00	Secretary / Bookkeeper	01117.00	Youth Managers	\$ 400.00	\$ 400.00	\$ 400.00
01118.00	Nurse	01123.00	Youth Managers	\$ 4,927.00	\$ 4,927.00	\$ 4,927.00
01118.00	Nurse	01123.00	Overtime Nurse	\$ 573.00	\$ 573.00	\$ 573.00
01120.02	Cook	01117.00	Youth Managers	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
01119.01	Shift Supervisor	01119.02	PT Shift Super	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00

Kinsey Youth Center Assistant Director Jeff Lipinski that Kinsey Youth Center is having a very good year and have generated over 1 million dollars of revenue back to the County. The requested transfers are to finish the year in the Youth Manager line item as well as the nursing overtime. Personnel changes have allowed for the transfer request so that additional fund requests are not needed.

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

<u>932</u>	<u>Howard County Health Department</u>					
03216.00	Communications	04721.00	Equipment	\$ 37,538.26	\$ 37,538.26	\$ 37,538.26

Health Department Director Kent Weaver discovered when appropriating this Bio Public Health Preparedness Grant, that additional money was needed in the equipment line item to purchase needed pod site readiness equipment, and four lap top computers.

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

<u>001</u>	<u>County General</u>					
<u>016</u>	<u>Election Board</u>		<u>Voter Registration</u>			
01120.00	Election Brd Assistants	017-01117.00	Part Time	\$ 850.00	\$ 850.00	\$ 850.00
01120.00	Election Brd Assistants	017-01118.00	Part Time	\$ 850.00	\$ 850.00	\$ 850.00

This transfer is in lieu of the previous request for additional appropriations in the Voter Registration Part Time accounts (*please refer to page one of the meeting minutes, Voter Registration*). The transfer is approved on a motion made by Mr. Ortman and seconded by Mr. Stout.

IN THE MATTER OF ADDITIONAL & TRANSFER REQUESTS FROM KOKOMO / HOWARD COUNTY VISITORS BUREAU:

Executive Director Peggy Hobson submitted the following Additional Appropriations requests to the 2008 Budget:

Advertising Expenses / 3330	\$5,900.00
Insurance Health & Life / 1523	\$4,592.00
TOTAL ADDITIONALS	\$10,492.00

Ms. Hobson commented that there is enough money in the Innkeeper's Fund to support the Additional Appropriations request, and has been previously approved by their Board. The requests were approved on a motion made by Mr. Ortman and seconded by Mr. Papacek, with four yes votes and one no vote.

<u>Transfer From:</u>	<u>Amount</u>	<u>Transfer To:</u>
Travel / 3223	\$2,500.00	Vehicle Expenses / 4800
Telephone / 3214	\$ 100.00	Vehicle Expenses / 4800
Telephone / 3214	\$ 600.00	Insurance Health & Life / 1523
Postage / 3212	\$ 400.00	Insurance Health & Life / 1523
Postage / 3212	\$ 100.00	Contract Services / 3251
Office Expense / 2360	\$ 500.00	Contract Services / 3251
Office Equipment / 4727	\$ 400.00	Contract Services / 3251

Most of the Contract Services requests are to cover the additional \$600.00 internal audit expense that had not been

budgeted for. The remainder of the Contract Services request is to cover accountant contract fees.

A motion was made by Mr. Papacek to approve the transfer requests as submitted. The motion was seconded by Mr. Ortman and carried.

IN THE MATTER OF MS4 STORMWATER DEPARTMENT 2009 BUDGET REQUEST:

First Deputy Surveyor Greg Lake his 2009 Budget Request as follows:

01111.00	Operator	\$10,000.00
01111.00	Administrator/Coordinator	\$22,235.00
01113.00	Field Technician	\$36,000.00
01117.00	Clerical	\$18,200.00
01521.00	FICA	\$ 6,612.28
01522.00	PERF	\$ 6,652.91
01523.00	Insurance	\$20,800.00
02360.00	Office Supplies	\$ 3,500.00
02363.00	Printer Supplies	\$ 1,000.00
02365.00	Computer Supplies	\$ 4,000.00
02372.00	Education Materials	\$ 5,000.00
02373.00	Promotional Materials	\$ 5,000.00
02321.00	Gas, Oil & Lube	\$ 2,000.00
03120.00	Contract Services	\$160,000.00
03212.00	Postage	\$ 2,000.00
03213.00	Travel Expenses/Mileage	\$ 2,000.00
03241.00	Printing	\$ 1,000.00
03121.00	Maintenance & Service Contr	\$ 8,200.00
03252.00	Garage & Motor Repair	\$ 550.00
03253.00	Equipment Repair	\$ 200.00
03320.00	Conveyance Improvements	\$100,000.00
04721.00	Equipment	\$25,000.00
04722.00	Computers	\$ 4,000.00
04723.00	Vehicle	<u>\$30,000.00</u>
Total Budget		\$473,950.19

Mr. Lake presented several issues that were brought up during the 2009 Budget Hearings and informed the Council of progress made. Concerning the County and City MS4 offices working together to co-permit, Mr. Lake had met with City employee Don Cree back in September to try to identify areas of potential city-county cooperation, and put it into presentation form. Working with Commissioner Trine, they have been trying to schedule a meeting with the City within ten days of the meeting with Mr. Cree in September, and have not been successful to this point. Housing for MS-4 offices was another concern, whether it would have its own offices or continue to be housed at the Surveyor's Office. Since the November election, Surveyor elect Dan Minor has agreed to keep the County MS4 housed in the Surveyor's Office, with a separate budget. The City's annexation plan will bring 6,000 parcels into the city limits, and that would affect the County's MS4 fee. The budget that is submitted is an adjusted form of the budget submitted during the 2008 Budget Hearings, taking it from a stand alone office back to being housed in the Surveyor's Office.

A motion was made by Mr. Papacek to accept the 2009 Revised Budget as submitted. Several Councilmen continued to ask questions and discuss the adjusted budget. Mr. Lake identified three main questions the co-permitting team must answer and they are a) who collects the money b) who controls the money and c) who decides how the money is spent. He also identified several issues that would put us in non-compliance as a result of an audit in 2010. Attorney Larry Murrell informed the Council that the Storm water District has been created by the Board of Commissioners and Commissioner Trine is the Operator and the next step is to establish the fee schedule. Councilman Wyman commended Mr. Lake for his efforts and work with MS4. At the conclusion of discussion the motion to accept the 2009 Revised Budget made by Mr. Papacek, was seconded by Mr. Ortman and carried. The Council also informally expressed support for proceeding with the

establishment of a fee.

IN THE MATTER OF THE ANNUAL LOIT REVIEW:

President Miller led the discussion concerning a reevaluation of the LOIT tax rates. Howard County leads the State in positive effects of LOIT, which was to lower property taxes. The rate is currently .5% of income and Mr. Miller reminded the Council that it is their responsibility to make an annual recommendation or any adjustment to the Income Tax Council. At the conclusion of continued discussion, a motion was made by Mr. Stout, seconded by Mr. Pencek and carried to recommend leaving the LOIT percentage at its present .5% rate.

IN THE MATTER OF DISCUSSION PERTAINING TO THE 2009 PROPOSED BUDGET:

Mr. Miller would like to continue the discussion pertaining to possible decreases to the 2009 Proposed Budget (*please refer to page one, "IN The Matter Of Opening Council Comments" of these minutes*). Mr. Miller, Mr. Wyman and Mr. Ortman have spoken with Commissioners elect William Thompson and Tyler Moore, and Commissioner Trine concerning this issue, and listened to their concerns. This issue will be taken off the table in the January, 2009 Council Meeting because the 2009 budget cannot be adjusted until the year 2009. Mr. Wyman began the discussion by outlining a three point proposal. First he advocates a hiring freeze for 2009 and eliminating positions through attrition, which gives the Council the opportunity to determine whether a position is mission critical to the operation of the County's offices. His second suggestion would be to ask department heads, between now and the January 2009 Council Meeting, to cut 5% from their budgets. The third suggestion is for all part time employees that receive health care benefits to pay 30% of those benefits. Discussion ensued on whether the re-hiring freeze is put only on employees paid through the County's General Fund or if it should be on employees paid by grants through the State. A similar issue is asking for the 5% cut from expenses underwritten by grants, or just County General expenses. Also discussed were those offices that operate 24 hours a day, seven days a week, being able to replace positions before the next Council meeting. Several Department Heads and Elected Officials asked for clarification of the proposed 5% budget decrease. Commissioner Trine offered several comments and opinions and at the close of his comments stated, "... we should be commended but at the same time it can't be business as usual." Personnel Director Wanda McKillip made suggestions referring to overtime payment savings. Commissioner Bagwell offered a suggestion of using some of the Insurance Fund money to pay County General portion of the County's health care. At the conclusion of the discussion, Mr. Miller encouraged Council members to keep thinking of Mr. Wyman's three suggestions, and further discussion will commence at the December 9th Council meeting.

IN THE MATTER OF RESOLUTION NO. 2008-HCCR-37:

Auditor Wells submitted Resolution No. 2008-HCCR-37, a resolution of the Howard County Council amending Exhibit A to Ordinance No. 2005-BCC-60, designating organizations for which dues and subscriptions may be paid from County funds. At the conclusion of review, a motion was made by Mr. Papacek to approve Resolution No. 2008-HCCR-37. The motion was seconded by Mr. Stout and carried.

IN THE MATTER OF OTHER COUNTY ENTITY BUDGETS:

The County Council is now required by law to review other County entity budgets fifteen days before they are adopted. The Council received the following budgets: Kokomo / Howard County Public Library, Greentown Public Library, City Of Kokomo, Greentown, Russiaville, Townships of Clay, Ervin, Honey Creek, Howard, Jackson, Liberty, Monroe, Taylor and Union, and the Howard County Solid Waste Department. At the conclusion of discussion a motion was made by Mr. Papacek, seconded by Mr. Ortman and carried to accept the 2009 budgets as submitted and to designate President Miller to sign the budgets on behalf of the County Council. Council Members did discuss going to the next legislative session and asking for guidelines to take back to the other county entities to help them in creating a budget that can effectively be reviewed by the County Council. Auditor Wells will contact these entities with a timeline for submission to the Council in preparation for review at budget time.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

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

1. **DOC Reimbursement Check:** Sheriff Talbert submitted a check in the amount of \$19,250.00 from the Department Of Corrections, to be receipted into County General Funds.
2. **DOC Check For Drug Bust Cooperation:** Sheriff Talbert submitted a check from the Department of

Corrections in the amount of \$250.00. This check is a pay-out in connection with a marijuana operation bust on the west side of Howard County.

3. **Donations To D.A.R.E.:** The Sheriff's Department is still operating the D.A.R.E program in schools, and there are several entities that would like to support that program through donations to the Sheriff's Department. Sheriff Talbert presented a check from the Veterans of Foreign Wars in the amount of \$589.00. There is presently no specific line item for donations. Auditor Wells informed the Sheriff that there is presently a Fund for Dare and the money can be receipted into that fund.
4. **2007 Annual Jail Report:** Sheriff Talbert submitted the 2007 Howard County Sheriff's Department Annual Jail Report. Mr. Talbert commended the efforts of Mr. Harold Vincent and Ms. Tami Baldwin in the preparation of this report. When it was sent to the Sheriff's Association Attorney, he sent copies out to all the other County Sheriffs as an example to follow. In reference to a lack of adequate employees, Sheriff Talbert responded by saying that the jail population has been high as three hundred seventy-one (371) inmates. The current jail population is three hundred thirty one (331) with fifty-eight (58) females. Three of the females are pregnant and will be giving birth soon after the first of the year.
5. **Commissary Reports:** Commissary reports for August, September and October, 2008 were submitted and reviewed.

IN THE MATTER OF THE ANTHEM REPORT:

Personnel Director Wanda McKillip submitted copies of the 2008 Policy Period Anthem Group Claims Paid Report. Attached to the report is the 2008 Monthly Group Medical Financial Report.

There being no further business to come before the County Council at this time, the meeting was adjourned at 10:20 p.m. on a motion made by Mr. Stout and seconded by Mr. Ortman.

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 October 28, 2008