

HOWARD COUNTY COUNCIL REGULAR MEETING FEBRUARY 23, 2010

The Howard County Council met Tuesday, February 23, 2010, at 7:00 p.m. in Hearing Room 338 of the Howard County Administration Center. Those present included President Richard Miller, Vice President Paul Wyman, and members James Papacek, Leslie Ellison, Joseph Pencek and Jeff Stout. Also in attendance were County Attorney Larry Murrell and Auditor Ann Wells.

The meeting was called to order by Sheriff Talbert and conducted by President Richard Miller. Councilman Stout led the Council in a word of Prayer.

IN THE MATTER OF APPROVAL OF MINUTES:

The minutes of the January 26, 2010 Regular Meeting, having been previously submitted and reviewed, were approved on a motion made by Mr. Papacek and seconded by Mr. Ellison.

IN THE MATTER OF COUNCIL COMMENT:

President Miller opened the floor for Council comment as follows:

Mr. Wyman informed the Council that the Greater Kokomo Economic Development Alliance will be submitting their year-end financial report, as requested by the County Council.

Mr. Wyman informed the Council that employee Jill Early is resigning her position in the County Extension Office. He recognizes Ms. Early for the outstanding job she did, even during personal difficulties.

Mr. Papacek congratulated the Chrysler core group that has worked with Chrysler and their attorneys in order to reach the tax agreement. Mr. Papacek has worked with many bankruptcy cases and has never seen the positive results like this committee were able to achieve. Attorney Larry Murrell, Commissioner Dave Trine, Councilmen Miller and Papacek, Assessors Sheila Pullen and Jamie Shepherd, Auditor Ann Wells and Treasurer Martha Lake deserve the thanks of this whole County.

IN THE MATTER OF ORDINANCE NO. 2010 – HCCO-06 – ADDITIONAL APPROPRIATIONS:

Auditor Ann Wells read Ordinance No. 2010-HCCO-06 – Additional Appropriations one time and it was acted upon as follows:

		AMOUNT REQUESTED:	APPROVED:
<u>182</u>	<u>Howard County Sheriff LEEF Fund</u>		
03213.00	Law Enforcement Training Fund	\$ 3,491.00	\$ 3,491.00
<u>515</u>	<u>Howard County Sheriff Misdemeanant Fund</u>		
01115.02	Part Time Clerical	\$ 1,500.00	\$ 1,500.00
01521.00	FICA	\$ 500.00	\$ 500.00

Sheriff Talbert reviewed with the Council the LEEF Fund and how it is financed. This request is to re-appropriate a left over balance from 2009 as well as appropriate funds collected from July, 2009 through January 2010, into the Law Enforcement Training line item.

Before addressing the Misdemeanant Fund request, Sheriff Talbert distributed copies of a letter received from the American Civil Liberties Union of Indiana. This letter thanked Captain Harold Vincent, Jail Commander, and Nurse Andrea Stonestreet, Head Nurse of the Criminal Justice Center, for their "...very informative and thorough report..." concerning their recent inquiry of an inmate. Sheriff Talbert informed the Council that the inmate medical office personnel included three LPN Nurses and one part-time Nurse. There is also a part time clerical assistant that files all the documents and keeps the records straight. This letter of commendation indicates how successful the medical office is. Sheriff Talbert requests the appropriation of \$1,500.00 into the part-time and \$500.00 FICA accounts to fund this clerical position. He reminded the Council that the Misdemeanant Fund is structured to pay for anything related to the operation of the Criminal Justice Center.

Mr. Miller read the letter, aloud, and informed those present that the County's Liability insurance has been reduced, in part, because of the positive events at the Criminal Justice Center. Sheriff Talbert commended Nurse Stonestreet for her efforts in the medical office of the jail. A motion was made by Mr. Papacek to approve the additional appropriation requests as submitted. The motion was seconded by Mr. Ellison and carried.

IN THE MATTER OF 2009/2010 ENCUMBRANCES:

Mr. Miller submitted the 2009/2010 Encumbrances Report, in the amount of \$3,060,134.02 for all funds. These amounts represent claims and payroll expenses committed for 2009, to be paid in 2010.

IN THE MATTER OF ORDINANCE NO. 2010 HCCO-7 / RESOLUTION NO. 2010-BCCR-4, A JOINT ACTION BETWEEN HOWARD COUNTY BOARD OF COMMISSIONERS AND COUNTY COUNCIL:

Mr. Miller submitted this Ordinance as a joint action authorizing the Howard County Sheriff to charge an administrative fee of \$115.00 for Sheriff's Sales and to enter into a contract with Lieberman Technologies, LLC for Sheriff's Sale services. Sheriff Talbert informed the Council that Lieberman Technologies offers Sheriff's Sales services, taking the burden from the Sheriff's Clerical staff so they can efficiently assume the task of balancing and maintaining the Inmate Trust Fund. Attorney Larry Murrell explained that the action required of the Council is to approve the \$115.00 fee attached to the Ordinance, as a change from the 2006 IC 32-29-7-3(h), establishing an administrative fee not more than \$200.00 for each Sheriff sale. The fee of \$115.00 more closely reflects the actual costs of the sale, as reflected by the cost analysis prepared by the Sheriff's Department. The cost analysis is so effective that Mr. Lieberman has asked permission to make copies of this Ordinance available to other counties. Several questions were answered and at its conclusion, a motion was made by Mr. Wyman to approve Ordinance No. 2010 HCCO-7, setting an administrative fee of \$115.00 per each sale. The motion was seconded by Mr. Papacek and carried. Mr. Murrell commended Ms. Mellissa Hall and Ms. Judy Scott for their past work in administrating the Sheriff Sales, saying they have done a "fantastic job".

IN THE MATTER OF AN EMPLOYEE REPLACEMENT REQUEST FOR THE PROSECUTOR'S OFFICE:

On behalf of Prosecutor James Fleming, Chief Deputy Prosecutor Mark McCann submitted a request to replace Deputy Prosecutor Derrick Steele, who left the Prosecutor's office to work as a Deputy Public Defender, with Mr. T. J. White. His main responsibilities will be the collection and enforcement of child support through the IV-D program. This is not a new position. The IV-D is supported 40% by the State of Indiana. A motion was made by Mr. Papacek to replace the Deputy Prosecutor position as requested. The motion was seconded by Mr. Stout and carried.

IN THE MATTER OF THE OVERBUDGETED ACCOUNTS SUGGESTED BY THE DEPARTMENT OF LOCAL GOVERNMENT FINANCE:

There has been some discussion from the Councilmen regarding response to the DLGF concerning the accounts. "No Excuses 2010" is a motto being adopted by the Department of Local Government. The Health Department was one of the accounts deemed to be over budget by the DLGF. When an explanation of the account was received and reviewed, the DLGF accepted it. The Highway Department Fund and Local Road & Street Fund have been adjusted by Mr. Cain. The Jail and Juvenile COIT Budget was approved as advertised, but was advertised without the \$500,000.00 from County General that the Council approved at the 2010 Budget Session. The DLGF has concluded that it will have to be added as an additional appropriation.

Mr. Miller reviewed the encumbrance report submitted and reminded the Council that those encumbrances will help the 2010 budget. With that and the half million unappropriated funds not spent in 2009, to be added to the 2010 money, he congratulated the Office Holders and Department Heads for their diligence in holding back their spending in both 2008 and 2009. He encouraged them to continue in these efforts for 2010. Mr. Papacek commended the Office Holders and Department Heads for their efforts as reflected in the lack of Additional Appropriation requests from County General funds in the first 2 months of 2010.

IN THE MATTER OF NEW BUSINESS GRANT REQUESTS FROM THE EDIT FUND:

Mr. Wyman reminded the Council that at the March meeting the Council will be considering two New Business Grant requests. At their February 15th meeting, the Board of Commissioners approved a motion to forward a recommendation to the Council to approve both \$5,000.00 requests and set the stipulations (criteria) for approval (*please refer to page six, "In The Matter Of Commissioner Issues" of the Regular Meeting minutes dated February 15, 2010*). Mr. Wyman moved to

appoint himself and two other councilmen to a committee to establish criteria for new business grant requests. As a point of order, Mr. Papacek commented that he believes it is the proper procedure for the Council President to appoint committee members. Mr. Wyman amended his motion to request the Council President to appoint a committee of three councilmen to establish criteria for new business grants requests. The amended motion was seconded by Mr. Pencek and carried.

IN THE MATTER OF EDIT FUND ISSUES:

Commissioner President Dave Trine informed the Council that he has been in contact with Greentown and Russiaville Town Board Presidents to ask them to submit a specific project to partner with Howard County using Edit Funds (around \$5,000 matching funds). Russiaville has submitted a request to the Board of Commissioners that is currently under advisement. Mr. Trine believes that Russiaville and Greentown are as important to Howard County as Kokomo is; that is why the Board has reached out to them.

Commissioner Trine also apprised the Council of the two requests for funding that has been submitted to the Board of Commissioners. The Board has approved these requests to be forwarded to the Council at their March meeting. Mr. Trine reminded the Council that at the 2010 Budget Hearings, the Council asked that the EDIT Request of \$100,000.00 for funding Downtown Redevelopment be requested for specific projects. Two specific projects have been submitted to the Board of Commissioners and the Board approved the projects for recommendation to the Council. Along with the recommendation, the Board asked that the Council assign criteria to the application process for these and future requests. Mr. Trine also believes that a local financial institution that is experienced in lending, as well as a representative from GKEDA, should be involved in the criteria process.

IN THE MATTER OF CUTTING GOVERNMENT COSTS:

On behalf of a local Cutters Group, Councilman Pencek distributed copies of a report suggesting eighteen ways to cut costs in local government.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

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

1. **Commissary Report:** Sheriff Talbert submitted and reviewed the January, 2010 Commissary Report.
2. **Inmate Phone Cards:** The Phone Cards are being used by the inmates and the system is working well. Also, the use of inmate e-mail is increasing.

CONCERNING NEPOTISM ISSUES:

Commissioner President Dave Trine took this opportunity to respond to a recent media article concerning nepotism practices in Howard County Government. The article specifically cited the employment of Mr. Trine's son, Robert, at the County Home (Howard Haven). Mr. Trine informed the Council that he would never endorse his son for any public or private position that he was not qualified to do. For this position, his son is qualified, and Mr. Trine is told that his son does a great job and spends much of his own time helping the residents.

There being no further business to come before the Council at this time, the meeting was adjourned at 7:58 p.m. on a motion made by Mr. Papacek and seconded by Mr. Stout.

HOWARD COUNTY COUNCIL:

RICHARD A. MILLER, PRESIDENT

PAUL G. WYMAN, VICE PRESIDENT

JAMES T. PAPACEK, COUNCILMAN

LESLIE ELLISON, COUNCILMAN

STANLEY ORTMAN, COUNCILMAN

JEFFREY STOUT, COUNCILMAN

JOESPH PENCEK, COUNCILMAN

ATTEST:

ANN WELLS, AUDITOR
Howard County Council Meeting February 23, 2010