

HOWARD COUNTY COUNCIL REGULAR MEETING JUNE 28, 2011

The Howard County Council met in Regular Session on Tuesday, June 28, 2011 at 7:00 p.m. in Hearing Room 338 of the Administration Center. Those in attendance included President Richard Miller, Vice President Stan Ortman and members Leslie Ellison, Jeff Stout, Joseph Pencek, Dwight Singer and John Roberts. Also present were Attorney Larry Murrell and Auditor Ann Wells.

The meeting was called to order by Sheriff Steve Rogers and conducted by President Miller.

IN THE MATTER OF APPROVAL OF MINUTES:

The minutes of the May 24, 2011 Regular Meeting, having been previously submitted and reviewed, were approved on a motion made by Mr. Singer and seconded on Mr. Ellison.

At this time, Councilman Stout offered a word of prayer.

IN THE MATTER OF COUNCIL COMMENT:

President Miller opened the floor for Council comment and read a statement submitted by Councilman Joe Pencek, as follows:

Dear fellow Councilmen,

I've been approached by a couple of small businesses that are struggling in our community. My conversations with these businesses make me wonder if there is something that could be improved on to assist these employers. First, I did find many great programs being offered by Small Business Administration (SBA), the Greater Kokomo Economic Development Alliance, and the City of Kokomo. I was curious to know how small businesses were being affected. With information from the Howard County Treasurer and the Assessors' offices, we found that from 2009 to 2010 Howard County lost seventy-six (76) small businesses. If each of these businesses only employed three people, that would be a loss of two hundred twenty-eight (228) jobs. That is comparable to when we lost Gerber Pottery in Kokomo, Indiana. If we, as community leaders, can help direct some of these small businesses to any of the current, available business assistance programs, possibly we can foster their survival. I bring this information to the attention of Council Members to be mindful of the importance of small businesses in our community as well as large industry. As all of us touch small businesses each day, I ask you to reach out and be proactive in seeing if you can help direct them to one of the many programs offered in our community. I have for you, at the end of this Council session, a package of information on the various programs. Please take one; and as leaders of our community, help these organizations reach the small businesses that could benefit from their programs.

Respectfully,
Councilman Joe Pencek

Mr. Miller thanked Councilman Pencek for these comments.

IN THE MATTER OF ORDINANCE NO. 2011-HCCO-15 – ADDITIONAL APPROPRIATIONS:

Ordinance No. 2011-HCCO-15 – Additional Appropriations was read in full one time by Auditor Ann Wells, and acted upon as follows:

		AMOUNT REQUESTED:	APPROVED:
<u>002</u>	<u>Howard County Highway Fund</u>		
22430.00	Bituminous	\$ 300,000.00	\$ 300,000.00
<u>006</u>	<u>Howard County Cumulative Bridge Fund</u>		
32250.00	Maintenance & Repair by Contract	\$ 300,000.00	\$ 300,000.00
<u>007</u>	<u>Howard County Local Road & Street Fund</u>		
23754.00	Bituminous	\$ 50,000.00	\$ 50,000.00

Highway Engineer / Superintendent Ted Cain explained to the Council that when the State Board does the budget for the Highway funds, they assume that we are going to spend all the money from the previous year. Mr. Cain did not spend all the money in the 2010 budget, and he is asking that the Council appropriate the unspent funds into his bituminous line items in all three funds. He also reminded the Council that he had to cut \$495,000 from the Highway Fund, for 2011, and the bituminous additional funds, and transfer fund, will give him an extra \$400,000 to put back into the paving program. Mr. Cain also informed the Council that this year, we have less money coming into the County's Highway Fund than we did sixteen (16) years ago, but the price of asphalt is three times the cost than sixteen years ago. With the increase in the cost of other supplies, we are doing about a quarter of what we used to be able to do. Even with these statistics, Mr. Cain is able to keep the County's roads maintained. County taxpayers do not pay into the Highway Fund: monies are generated from the gas tax.

A motion was made by Mr. Stout to approve the additional appropriation request of \$300,000 into line item 002-000-22430.00, Bituminous, \$300,000 into line item 006-000-32250.00, Maintenance & Repair by Contract, and \$50,000 into line item 007-000-23754.00, Bituminous. The motion was seconded by Mr. Ortman and carried.

TOTAL ADDITIONAL APPROPRIATIONS ALL FUNDS:	\$650,000.00	\$650,000.00
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IN THE MATTER OF RESOLUTION NO. 2011-HCCR-18 – TRANSFERS:

Auditor Ann Wells read Resolution No. 2011-HCCR-18 – Transfers in full one time, and the Resolution was acted upon as follows:

	FROM:	TO:	AMOUNT REQUESTED	APPROVED:
<u>001</u>	<u>Howard County General Fund</u>			
<u>030</u>	<u>Howard County Public Defender</u>			
01113.00	Deputy	01117.00 Part Time	\$ 8,000.00	\$ 8,000.00

Public Defender Steve Raquet stepped to the podium to request to rehire a vacated position, as well as justify the transfer request. Deputy Public Defender Brant Parry was appointed Judge of Superior Court II. He was a part-time Public Defender and Mr. Raquet is requesting to fill that vacated position. For the last several years a young law student has been working non gratis in the Public Defender's office. That student has now graduated and will be taking the bar exam in July. Having graduated, he can be assigned cases with Mr. Raquet and Mr. Vandenbosch supervising. The student is willing to work as a part time intern for \$20 per hour, and this transfer request is to help underwrite the expense. The exam results will be available in October. If he has done well he will no longer be working as a part-time intern. Mr. Raquet will post the available position at that time. There would be a savings of five months of the Deputy Public Defender salary, minus the close to \$8,000 paid to the intern. In answer to a question posed by Councilman Roberts, Mr. Raquet informed the Council that the young intern has already sat as second chair in three major jury trials, one of them being the major murder trial with three defendants, and one A felony drug-dealing case. He has tried more jury trials than three of the current Deputy Defenders. As an intern he would be given D felony cases.

At the conclusion of discussion, a motion was made by Mr. Ortman to approve the transfer request of \$8,000.00 from 01113.00, Deputy, to 01117.00 Part Time. The motion was seconded by Mr. Ellison and carried.

<u>007</u>	<u>Howard County Local Road & Street Fund</u>			
33760.00	CR 100 South	23754.00 Bituminous	\$ 50,000.00	\$ 50,000.00

Mr. Cain put enough funds in the County Road 100 South line item to pay for expenses before reimbursement. Now that he has received monthly reimbursements from the State, he is able to transfer the extra funds into his Bituminous line item.

A motion was made by Mr. Singer, seconded by Mr. Pencek and carried to approve the transfer of \$50,000.00 from line item 33760.00, CR 100 South to line item 23754.00, Bituminous.

<u>115</u>	<u>Howard County Sheriff-Inmate Work Fund</u>			
04721.00	Capital Outlay	03252.00 Repair & Maintenance	\$ 750.00	\$ 750.00

Sheriff Rogers informed the Council that one of the 72" Xmark mowers, needs to be repaired (cooling fan) and extra funds are needed in the Repair & Maintenance line item to fund that repair expense.

A motion was made by Mr. Ortman to approve the transfer request of \$750.00 from line item 04721.00, Capital Outlay to line item 03252.00, Repair and Maintenance. The motion was seconded by Mr. Stout and carried.

IN THE MATTER OF A REHIRE REQUEST IN THE PUBLIC DEFENDER'S OFFICE:

As Public Defender Steve Raquet previously justified his position rehire request during the Transfers portion of the meeting, a motion was made by Mr. Ortman to approve the request of Mr. Raquet to replace the Public Defender position vacated by Judge Parry. The motion was seconded by Mr. Ellison and carried. It was noted that the part time hourly intern position is without benefits.

IN THE MATTER OF MISCELLANEOUS BUSINESS:

1. Attorney Larry Murrell reminded the Council that at their May 24th meeting they approved and appropriated EDIT funds, in the amount of \$56,000 and \$160,000 to the Town of Russiaville for a grant and a loan. They did not approve at that time the amount of \$3,500 for an American Veteran's Traveling Tribute because it had not been presented. At the June 6, 2011 Board of Commissioner meeting, the Commissioners approved an Amended Capital Improvement including the two Russiaville amounts, which the Council previously approved, and the \$3,500 for the Tribute that had not been submitted or approved at the Council meeting. The Tribute request was to be on the agenda for this evening's agenda, but was omitted. The Commissioners' will be at the July Council meeting to submit this request as a joint project between Center Township, the City of Kokomo and Howard County. The tribute will be in town from September 28 – October 2, 2011, and the final payment is due July 31st.
2. Sheriff Rogers submitted the May 2011 Sheriff Commissary Report for the Council's information and record.
3. Personnel Director Wanda McKillip recognized the attendance of City Councilwoman Cindy Sanders, and introduced her to the County Council members. Ms. Sanders lives at 3262 Almquist Lane in Kokomo and is here to make the Council members aware of a flooding issue on Lincoln Road, in between Park Road and Webster Road. Everyone on the north side of Lincoln has been affected by this issue. There had been several residents in attendance concerning this issue, but they did not stay for the conclusion of the meeting. In speaking with several property owners in the area, Ms. Saunders said they believed it was an issue caused by new construction close to the Guardian Hospice location. She believes this flooding also affects several County residents and believes the City and the County will come together to address the issue.

President Miller thanked Ms. Sanders for her attendance at tonight's meeting and apologized for not recognizing her sooner.

There being no further business to come before the Council at this time, the meeting was adjourned at 7:39 p.m. on a motion made by Mr. Ortman and seconded by Mr. Ellison.

HOWARD COUNTY COUNCIL:

RICHARD A. MILLER, PRESIDENT

STAN ORTMAN, VICE PRESIDENT

LESLIE ELLISON, MEMBER

JEFF STOUT, MEMBER

JOSEPH PENCEK, MEMBER

DWIGHT SINGER, MEMBER

ATTEST:

JOHN ROBERTS, MEMBER

ANN WELLS, AUDITOR

Howard County Council Meeting June 28, 2011