

## **HOWARD COUNTY COUNCIL REGULAR MEETING APRIL 23, 2013**

The Howard County Council met in Regular Session on Tuesday, April 23, 2013, at 4:00 p.m. in Hearing Room 338 of the Administration Center. Those in attendance included President Richard Miller, Vice President Stan Ortman, and Members Jeff Stout, John Roberts, Dwight Singer and James Papacek. Also in attendance were Attorney Larry Murrell and Auditor Martha Lake. Mr. Ellison was not present.

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 March 26, 2013, Regular Council Meeting, having been previously submitted and reviewed, were approved on a motion made by Mr. Roberts and seconded by Mr. Ortman.

At this time President Miller offered a word of prayer.

### **IN THE MATTER OF COUNCIL COMMENT:**

Several weeks ago President Miller was sent a juror summons for Superior Court I and reported to the Courthouse as directed. He was able to bypass the Security System because he had an ID badge. That afforded him the time and opportunity to observe the Security procedures at the east entrance of the Courthouse. Some have questioned the need for security at the Courthouse, and Mr. Miller commented that our Security Officers did an excellent job of carefully guiding individuals through the security process. Some individuals had to be guided through the process more than once. Mr. Miller stated that with the help of several Courthouse security officers, it took about an hour to clear the area of the forty (40) citizens summoned for juror duty. He reminded those in attendance that our courthouse had experienced a bombing; he believes that our security was doing a great job. It is a necessary function and he thanked all the Courthouse security personnel.

Councilman Papacek praised the Highway and Sheriff Departments, and their employees, as well as other departments who participated, for keeping roads and traffic moving during our recent flooding issues in Howard County. People are often quick to voice disapproval when mistakes happen, but they are not as quick to voice appreciation for a job well done.

### **IN THE MATTER OF ORDINANCE NO. 2013-HCCO-07 – ADDITIONAL APPROPRIATIONS:**

Ordinance No. 2013-HCCO-07 – Additional Appropriations was read in full one time by Auditor Martha Lake, and acted upon as follows:

<b><u>1000</u></b>	<b><u>HOWARD COUNTY GENERAL FUND</u></b>	<b>AMOUNT REQUESTED:</b>	<b>APPROVED:</b>
<b><u>006</u></b>	<b><u>Howard County Surveyor</u></b>		
04721.00	Equipment	\$ 3,500.00	\$ 3,500.00

Howard County Surveyor Dave Duncan justified the request by informing the Council that the \$3,500 had been approved for the budget, from County General funds, at the 2012 Budget Hearings, but through clerical error, was not included on the actual budget paperwork to the Gateway site. The original request was to update the data collector of the GIS unit.

Discussion ensued concerning taking the expense from County General or Cumulative Capital Funds. At its conclusion a motion was made by Mr. Papacek to approve the \$3,500 amount to the Surveyor's Equipment line item in County General. The motion was seconded by Mr. Roberts and carried.

<b><u>009</u></b>	<b><u>Howard County Coroner</u></b>		
01117.00	Part-Time	\$ 3,000.00	\$ 3,000.00

County Coroner Jay Price requested \$3,000 for Part-Time Deputies. This year the Coroner's office has been hit hard; as of yesterday the Coroner's Office had its 82<sup>nd</sup> case. Last year at this time the office had 51 cases. Autopsies have also increased. Mr. Price reminded the Council that he could not estimate or predict what the number of cases will be.

A motion was made by Mr. Ortman to approve the request of \$3,000 to line item 01117.00, Part-Time. The motion was seconded by Mr. Singer and carried.

<u>015</u>	<u>Howard County Veterans Service Office</u>		
01117.00	Part-Time	\$ 10,240.00	\$ 10,240.00

Col. Ross Waltemath reminded the council members that at last year's budget session the Veterans Service Office requested \$12,000 in the Part-Time line item; the Council approved \$6,000. Mr. Waltemath informed the Council that their part-time employee was working three days a week and Col. Waltemath has to work him four days a week to keep up with the work load. Last year the VSO office had three students from the Vocational Rehab who were helping in the office. Those students are no longer available. The additional request of \$10,240 will last through the year, at four days per week. Councilman Papacek asked Col. Waltemath if working the part-time employee more than twenty hours was going to be a problem when the new Health reforms become effective. Col. Waltemath replied that after talking with Personnel Director Wanda McKillip, the part-time employee's hours will go back to twenty hours before the new laws become effective.

A motion was made by Mr. Stout, seconded by Mr. Papacek, and carried to approve the request of \$10,240.00 to line item 01117.00, Part-Time.

<u>045</u>	<u>Howard County Unified Courts</u>		
03263.00	Medical & Hospital – Psychiatric	\$ 10,000.00	\$ 10,000.00

Superior Court Judge Bill Menges reminded the Council that the Unified Courts fund is for use by all the courts. Concerning the funds for Medical & Hospital – Psychiatric, Judge Menges has no idea whether today's additional request will be enough to see them through the year. The original budget was \$8,500; that money was depleted by March. Judge Menges reminded the Council that, by law, if an individual is going to stand trial for a criminal act, they have to be found competent. Captain Vincent has been heard to state that, "... Sheriff Rogers runs the largest mental health facility in the Central Indiana area." Judge Menges believes we have a significant part of the jail population that are not only mentally ill, but could be diagnosed as psychotic and/or not competent to understand. Competency requests can come from the Sheriff, defense attorneys, the courts, and other sources. Discussion ensued as to the depth of the mental illness in our nation's criminal justice facilities, and what needs to happen to address the issue.

The request of \$10,000 to line item 03263.00, Medical & Hospital – Psychiatric, was approved on a motion made by Mr. Papacek and seconded by Mr. Singer.

<b>TOTAL COUNTY GENERAL FUND</b>		<b>\$ 26,740.00</b>	<b>\$ 26,740.00</b>
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<u>1112</u>	<u>Howard County CEDIT Fund</u>		
03121.00	Drain Maintenance	\$ 1,200,000.00	\$ 1,200,000.00

The Board of Commissioners amended their Capital Improvement Plan in order to include funds for revolving loans to pay for the maintenance of eight different drains in Howard County. This request is to appropriate the money to make it available for the project included in the amended Plan. Deputy Surveyor Greg Lake reviewed the plan to maintain/repair eight drains in Howard County by obtaining a revolving loan. Mr. Lake reviewed a flow chart with the Councilmen as follows:

1. Move \$1,200,000 from the EDIT Fund into the Howard County Revolving Loan Fund. Surveyor signs a Promissory Note for each drain as it commences repairs.
2. Transfer money into the Drain Maintenance Fund for repairs on the eight listed drains. Assessments for those listed drains have been raised for the next four to five years to cover the costs of the drain repairs, but the EDIT money allows the County to fix the drains now, instead of waiting four to five years, to help the property owners connected to those drains. The loaned money also helps to pay the debt in the Drain Improvement Fund.
3. Do the repairs on the drains.
4. Collect the increased assessed dollars through the taxes, track the drains they apply to, and set them aside for five years to apply to the Promissory Note.
5. Pay the Promissory note back to the EDIT Fund through the Revolving Loan Fund. This loan is only a 5-year loan.

At the conclusion of Mr. Lake's presentation a motion was made by Mr. Stout to approve the appropriation request of \$1,200,000 to line item 03121.00, Drain Maintenance. The motion was seconded by Mr. Roberts and carried.

<b><u>1176</u></b>	<b><u>Howard County Highway Fund</u></b>		
22430.00	Bituminous	\$ 500,000.00	\$ 500,000.00
<b><u>1135</u></b>	<b><u>Howard County Cumulative Bridge Fund</u></b>		
3225.00	Maintenance & Repair by Contract	\$ 300,000.00	\$ 300,000.00
<b><u>1169</u></b>	<b><u>Howard County Local Road &amp; Street Fund</u></b>		
33763.00	Touby Pike-Morgan St. to New US 31	\$ 200,000.00	\$ 200,000.00

Highway Engineer/Superintendent Ted Cain expected the State to cut his budget because of annexation, and because his budget was cut last year; it was not cut. Mr. Cain asks these appropriations be put back onto his Bituminous line item for this year's paving program. A big percentage of the \$500,000 is unused funds from last year. Money from his budget stays in his budget; they are not County General funds. Mr. Cain justified the Cum Bridge and Local Road & Street Fund requests for repairs, paving, and the Touby Pike-Morgan Street US 31 projects.

At the conclusion of fielding questions of the Councilmen, a motion was made by Mr. Papacek to approve the request of \$500,000 in line item 22430.00, Bituminous, in the Howard County Highway Fund. The motion was seconded by Mr. Singer and carried.

A motion was made by Mr. Papacek to approve the request of \$300,000 in line item 3225.00, Maintenance & Repair by Contract, of the Cumulative Bridge Fund. The motion was seconded by Mr. Stout and carried.

The request of \$200,000 to line item 33763.00, Touby Pike-Morgan Street to New US 31 of the Local Road and Street Fund, was approved on a motion made by Mr. Papacek and seconded by Mr. Singer.

<b><u>1138</u></b>	<b><u>Howard County Cumulative Capital Fund</u></b>		
03251.05	Building & Structure Repair – Sheriff	\$ 9,650.00	\$ 9,650.00

Sheriff Rogers submitted the request of \$9,650.00 for the replacement of the north pedestrian door at the Criminal Justice Center. This security door is original to the building and has experienced much weather degradation. Because people have to wait to be admitted, the Sheriff plans to install an overhang at a later date.

A motion was made by Mr. Singer to approve the request of \$9,650.00 to line item 03251.00, Building & Structure Repair – Sheriff. The motion was seconded by Mr. Ortman.

At this time Sheriff Rogers submitted and distributed copies of the Jail Commissary Fund Report for the month of March, 2013.

The Annual Inspection Day for the Howard County Sheriff's Department will be held on Thursday, May 16, 2013. The Councilmen will be receiving an invitation to the event. There will be an opportunity to view the progress of the Criminal Justice Center Renovation and Technology Upgrade Project.

#### **IN THE MATTER OF RESOLUTION NO. 2013-HCCR-6 – TRANSFERS:**

Resolution No. 2013-HCCR-6 – Transfers was read in full one time by Auditor Martha Lake and acted upon as follows:

	<b>Transfer From:</b>	<b>To:</b>	<b>Amount Requested:</b>	<b>Allowed</b>
<b><u>1176</u></b>	<b><u>Howard County Highway Fund</u></b>			
14110.00	Mechanics	34511.00 Property Insurance	\$ 10,000.00	\$ 10,000.00

Mr. Ted Cain commented that the Property Insurance "sky-rocketed" this year. Mr. Cain questioned the increase and the company did find that they charged \$15,000 too much. This request is to cover the remainder of the unexpected amount of increase of the Property Insurance.

The transfer request of \$10,000 from 14110.00, Mechanics, to 34511.00, Property Insurance, was approved on a motion made by Mr. Papacek and seconded by Mr. Ortman.

<b><u>1188</u></b>	<b><u>Howard County Reassessment Fund</u></b>					
03511.00	Professional Services	04720.00	Computer System	\$	3,000.00	\$ 3,000.00

The Assessors’ only large capacity copier/printer/scanner is no longer operational. This transfer request is to purchase a replacement. The office is preparing to print Form 11’s – Notice of Assessments and will need a large capacity printer for the task. Ms. Shepherd has received quotes from local vendors, and will choose the most cost effective machine.

A motion was made by Mr. Singer to approve the transfer request of \$3,000.00 from 03511.00, Professional Services, to 04720, Computer System. The motion was seconded by Mr. Ortman and carried.

**IN THE MATTER OF THE 2013 TAX STATEMENTS:**

Treasurer Ann Wells updated the Councilmen on the status of the 2013 Tax Statements. The Tax statements will be mailed tomorrow, April 24<sup>th</sup>, from a vendor in Indianapolis. Ms. Wells thanked Mr. Pat Munsey for the article printed in the Perspective; it was very factual. Ms. Well’s office has already begun receiving comments and questions from local tax payers. Some taxes have gone down or stayed the same. Some annexed properties’ taxes have increased. Most businesses will experience a greater increase. Some assessed values have decreased. There are several reasons why taxes increase or decrease. Although tax statements are being mailed out a little later than usual, they are still within state limits.

**IN THE MATTER OF ORDINANCE NO. 2013-HCCO-08:**

Surveyor Dave Duncan submitted Ordinance No. 2013-HCCO-08, an ordinance of the Howard County Council establishing a Revolving Loan Fund and authorizing a \$1,200,000 loan to the Howard County Drainage Board. Mr. Duncan reminded the Council members that Deputy Surveyor Greg Lake had explained the concept of this Ordinance and reviewed a flow chart of the Drain Maintenance projects during the EDIT appropriation request. The drains requiring immediate maintenance are as follows:

- Deer Creek
- James Kidder
- Fairview
- Hochstedler
- Johnson
- Hollingsworth
- McKay Dredge
- Oiler
- Others to the extent funds are available

The first two drains to be repaired are Deer Creek and McKay Dredge, working from the outermost drains in. Mr. Duncan assured the Councilmen that the funds will be repaid in the five years allotted, and that funds will be utilized in a fair process. At the conclusion of ensuing questions and discussion, Ordinance No. 2013-HCCO-08 was approved on a motion made by Mr. Papacek and seconded by Mr. Ortman.

**IN THE MATTER OF DETERMINATION 2013 HCDSMD NO. 1:**

Stormwater Coordinator Greg Lake submitted Determination 2013 HCDSMD No. 1, findings and determination of the Board of Directors of the Howard County Department of Stormwater Management (1) establishing a plan to insure connection of all Darrough Chapel residents to the sanitary sewer system and (2) amending the Stormwater User Fee Determination. Now, at the completion of the Darrough Chapel Sewer Project, this Determination helps assist those residents who cannot afford the hook-up costs, at this time, to be able to connect to the sanitary sewer system. Mr. Lake is asking for the Council’s permission, at this time, to authorize the Stormwater District to establish different classifications of storm water user fees based on the improvements made to a particular property and/or the variation in costs, including capital expenditures, of furnishing services to various classes of users. So the residents of Darrough Chapel, who will accept the assistance of the County with hook-up fees, will have an increase in the Stormwater fees (on their tax bill) for five years, to reimburse the assisted amount. Mr. Lake reminded the Councilmen that the Grant used to fund the Sewer Project required 100% resident connection to the sanitary sewer system. This is a way to insure this requirement, and is

open to connected and non-connected owners. At the conclusion of ensuing discussion, a motion was made by Mr. Papacek, seconded by Mr. Ortman, and carried to approve Determination 2013 HDCSMD No. 1.

*There being no further business to come before the Howard County Council  
at this time, the meeting was adjourned at 5:54 p.m.  
on a motion made by Mr. Papacek and seconded by Mr. Stout.*

**HOWARD COUNTY COUNCIL:**

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RICHARD H. MILLER, PRESIDENT

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STAN ORTMAN, VICE PRESIDENT

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JEFF STOUT, MEMBER

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LESLIE ELLISON, MEMBER

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JOHN J. ROBERTS, MEMBER

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DWIGHT SINGER, MEMBER

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JAMES PAPACEK, MEMBER

ATTEST:

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MARTHA J. LAKE, AUDITOR  
Howard County Council Meeting April 23, 2013