

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING APRIL 4, 2005

The Howard County Board of Commissioners met in Regular Session on Monday, April 4th, 2005 at 8:30 a.m. in Hearing Room No. 338 of the Howard County Administration Center. Those in attendance included President Paul J. Raver, Vice President Bradley J. Bagwell, and Member John B. Harbaugh. Also present were County Attorney Lawrence Murrell and Auditor Ann Wells.

The meeting was called to order by Sheriff Marshall Talbert and conducted by President Paul J. Raver.

IN THE MATTER OF APPROVAL OF MINUTES:

The minutes from the regular meeting held on Monday, March 21st, 2005 were considered. Mr. Bagwell made a motion to approve the minutes. Seconded by Mr. Harbaugh, the motion carried and the minutes were approved as submitted.

IN THE MATTER OF HIGHWAY ISSUES:

Mr. Ted Cain, Howard County Highway Engineer/Superintendent, presented the following issues for Commissioner information and approval:

1. **Agreements for School Bus Turn-Arounds:** Northwestern School Corporation Superintendent, Ryan A. Snoddy, submitted a written requests to the Howard County Board of Commissioners for approval of facilities for a school bus turn around on property owned by Dick Ridenour located at 1150 West 550 North; and on property owned by Jeff Yager located at 4180 North 300 East.

Mr. Bagwell made a motion to approve both of the school bus turn around agreements subject to Mr. Cain's review and approval. Mr. Harbaugh seconded the motion, which carried.

2. **Project Updates:**

- a. **Road 400 North Project:** The Department of Natural Resources issues regarding seeding and planting have been resolved. The contractors will finish the work when the ground dries enough to complete some additional dirt work.
- b. **Bridge on 200 South:** The deck has been poured and the scheduled road improvements will commence this week.
- c. **Dixon Road Project:** Construction work is being performed on the storm sewer between Greentree Lane and Zartman Road. The intersection of Zartman Road and Dixon Road is anticipated to be closed from April 6th until October 2005.
- d. **Bridge No. 157:** Today the stone work is being finished on the bridge located on 125 North and it will be ready for paving next week.
- e. **Bridge No. 51:** The asphalt will be removed from the bridge deck located on 500 East. An expanded concrete deck will be poured in lieu of replacing the entire structure. The bridge will be closed for approximately one month.
- f. **Webster Street Bridge:** Mr. Cain advised that he would contact the City of Kokomo and Park Department regarding street closure for the Webster Street Bridge Project.
- g. **Paving Project:** The annual paving project is about to commence. The project will begin northeast of U.S. 31 and will circle around the county in a clockwise direction. Asphalt is a petroleum based product and the continually increasing gasoline prices significantly affect costs of the paving project.

- h. **Pot Hole Maintenance:** Mr. Cain reported that the Highway Department is keeping up with filling the pot holes.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

Sheriff Marshall Talbert presented the following issues for Commissioner information and approval:

1. **DOC Reimbursement:** The County received a check in the amount of \$19,985.00 from the Indiana Department of Corrections for holding DOC prisoners and reimbursement of medical expenses. Sheriff Talbert stated that approximately \$129,000.00 has been deposited back into the General Fund in the past thirty days.
2. **New Vehicle Update:** The two unmarked patrol cars have arrived. Currently one of the vehicles is being equipped by Integrity Communications and Electronics. All of the trade-in vehicles were 2000 models having at least 100,000 miles of use.
3. **Sheriff Department Personnel Update:**
 - a. Sergeant Larry Shipman has returned from active duty to the United States. He anticipates returning to work in June 2005.
 - b. Sheriff Deputy Larry Sparks continues his assignment with the National Guard Armory in Logansport. It is possible that Deputy Sparks could complete his assignment by August or September 2005. When this happens, there needs to be enough money in the Commissary Fund to pay the Commissary Deputy. The Commissary Fund is operated in accordance with State guidelines; however, due to the decreased number of inmate telephone call charges and sale of commissary items, there is not as much money being taken into the Commissary Fund as in previous years.
 - c. One Sheriff Deputy will be absent for knee surgery for a period of six to eight weeks.
4. **Service Agreement Renewals:**
 - a. **Integrator.com Service Agreement-Renewal** for the security automation system at the Criminal Justice Center was presented. The agreement begins May 1, 2005 and ends April 30, 2006 at a cost of \$575.00 per month.
 - b. **Koorsen Fire & Security Service Agreement** for servicing the fire extinguishers throughout the Criminal Justice Center for an annual cost of \$285.00 was presented.

Mr. Bagwell made a motion approve renewal of the Integrator.com Service Agreement and the Koorsen Fire & Security Service Agreement as presented and authorize the President to sign on behalf of the Board. Mr. Harbaugh seconded the motion, which carried.

5. **Jail Population:** The jail population is at a manageable level of 260 inmates. Sheriff Talbert said the recommendations made by Mr. Billy Wasson, Consultant of National Institute of Corrections, have been instrumental in helping reduce the jail population. One of Mr. Wasson's recommendations was to establish a committee to meet regularly to monitor the jail population issue. Attorney Murrell offered to assume the responsibility of coordinating the first meeting. Since the current Jail Study Committee consists of most of the representatives that were recommended by Mr. Wasson, Attorney Murrell suggested altering the membership to include all of the Judges and adopt a new name for the committee.

Mr. Bagwell made a motion to establish a committee to replace the Jail Study Committee as recommended by Local Systems Assessment provided by the National Institute of Corrections; to be supplemented with the Judges of the Howard County Courts; the County Attorney shall serve as the

coordinator for the meetings, recommended to be held on a quarterly basis; and the selection of a name for the new committee to be determined at a later date. Seconded by Mr. Harbaugh, the motion carried.

6. **Power Outage at Jail:** On Saturday, April 2nd, 2005 three brief power outages occurred on the west side of the community. A power surge knocked out a switch and the computers went down at the Criminal Justice Center. Information Systems Director Terry Tribby was able to get the systems up and running rather quickly. Mr. Tribby said all of the computer equipment is connected to surge protection and battery back up. He stated that he would conduct further study of the issue and meet with the Sheriff to discuss whether additional surge protection is needed.
7. **SWAT Truck Conversion:** (See page 2, February 2nd, 2005 minutes, "In the Matter of Sheriff Department Issues", Item 2 for related discussion) The SWAT Truck is in the process of being converted by Delphi Body Works. The conversion is estimated to be completed in six to eight weeks.

IN THE MATTER OF PLAN COMMISSION ISSUES AND PROPERTIES FOR APPROVAL:

Plan Commission Director Glen Boise presented the following issues for Commissioner information and approval:

1. **Case 3-CP-05 – one (1) lot in Miller’s Acres Subdivision located at 3643 North 600 East** was approved on a motion made by Mr. Harbaugh. Mr. Bagwell seconded the motion, which carried.
2. **Ordinance No. 2005-BCC-14 – Case 2-CZ-05, a petition to change the zone classification from B-1 (Local Business) to B-2 (General Business) on property located at 2046 West Alto Road** was considered. Mr. Bagwell made a motion to approve Ordinance No. 2005-BCC-14. Seconded by Mr. Harbaugh, the motion carried.
3. **Unsafe Buildings:** Mr. Boise reported that photographs were taken of continuing and new unsafe buildings. Mr. Bagwell requested Mr. Boise to take a look at a house on East Sycamore Road located between 500 and 600 East. The house appears to be in a state of deterioration.
4. **Flood Mitigation Issues:** The final steps of closing the property located at 3258 West 250 South is in progress. The owner of the property located at 500 Ridge Road provided the required written information. Mr. Boise anticipates completing the buy out process in May 2005.
5. **Multi-Natural Hazard Mitigation Update:** Mr. Boise is working on establishing a committee to meet with the consultant toward the end month to discuss the other hazards.

IN THE MATTER OF MAINTENANCE DEPARTMENT ISSUES:

Maintenance and Grounds Superintendent Thomas Harrison presented the following issues for Commissioner information and approval:

1. **Roof Repairs:** Mr. Harrison talked about preparing to seek bids for roof repairs on the Howard County Administration Center and Howard Haven Residential Center. He estimated that the roof work for Howard Haven would cost approximately \$64,000.00. Because the roof repairs to the Administration Center could cost as much as \$90,000.00, Attorney Murrell offered to assist Mr. Harrison with the formal bidding process.
2. **Administration Center HVAC Upgrade:** There was discussion about contacting an engineer to design a new HVAC for the Administration Center
3. **Courthouse:**
 - a. The Maintenance staff re-seeded the areas surrounding the Courthouse.

- b. **Update on Electrical Boxes at Courthouse:** (See page 3, February 7th, 2005 minutes, “In the Matter of Maintenance Department Issues”, Item 5, for related discussion) Mr. Harrison advocates removal of the electrical boxes around the Courthouse square. The boxes, currently in compliance with OSHA requirements, are an additional expense and liability to the County. Mr. Harrison said he would contact City Electrician Kim Phipps for input regarding removing the boxes and present the issue at the next Commissioners’ meeting.

IN THE MATTER OF PERSONNEL ADMINISTRATOR ISSUES:

Personnel Director Wanda McKillip presented the following PAC recommendations for Commissioner information and approval:

1. **Anthem Health Insurance Update:** The Stop Loss Reconciliation for county employees for the period ending January 31, 2005 was received from Anthem. The group had one individual in excess of their specific Stop Loss level of \$100,000.00 for a specific reimbursement of \$67,875.42. There were no claims exceeding the Aggregate Stop Loss level. However, Mrs. McKillip advised that the insurance fund was in good shape. She advised that the County Insurance Committee will hold a meeting at the end of April or the first of May 2005.

Mr. Bagwell made a motion to transfer \$67,875.42 to the Howard County Anthem Insurance Account and confirm the President’s signature. Mr. Harbaugh seconded the motion, and it carried.

2. **Group Insurance Update:** (See page 3, March 7th, 2005 minutes, “In the Matter of Personnel Administrator Issues, “Item 1, for related discussion) County employees received an information packet with forms to fill out and return regarding the change to AIG/American General Life Insurance for group and voluntary life insurance on Friday, April 1, 2005.
3. **Selective Insurance Update:** The underwriter for Selective Insurance Company has reported an increase in worker compensation claims in the past six months. Mrs. McKillip said training would be scheduled regarding prevention of worker compensation claims.

IN THE MATTER OF INFORMATION SYSTEMS DIRECTOR ISSUES:

Information Systems Director Terry Tribby presented the following issues for Commissioner information and approval:

1. **Video Monitoring System Upgrade Project:** (See page 3, March 21st, 2005 minutes, “In the Matter of Information Systems Director Issues”, Item 4, for related discussion) Mr. Tribby reported that the County Council gave verbal consent on March 22nd, 2005 for funding to move the old video equipment from the Courthouse to the Administration Center. Contractors are scheduled to begin installing electrical wiring in the Administration Center. The audio/video monitors are anticipated to be in operation by tax time on April 15th, 2005.
2. **Phase II Wireless Project:** Information Systems is working on connecting the Courthouse and Fire Station to the wireless network.
3. **Networking Changes:** Mr. Tribby briefly talked about some changes to the ISET’S program regarding networking between the Courthouse and the State for child support. Voter’s Registration would become a stand alone application on the new web-based program. The JTAC, a statewide courtroom systems software networking project, has been put on hold.
4. **Computer Upgrade - Administration Center:** (See page 3, March 21st, 2005 minutes, “In the Matter of Information Systems Director Issues”, Item 1, for related discussion) Information Systems personnel pre-configured and installed new computers in the Treasurer’s Office and one computer in the Auditor’s Office. Mr. Tribby requested authorization to proceed with purchasing of ten (10) additional computer systems under the special purchase agreement.

Mr. Bagwell made a motion to authorize the final special purchase of ten (10) computer systems for the Howard County Administration Center, whereby compatibility is a substantial consideration in the purchase and only one source meets the requirements; and authorized the President to sign on behalf of the Board. Mr. Harbaugh seconded the motion, and it carried.

IN THE MATTER OF NEW BUSINESS:

The Kokomo Fire Department contacted Mr. Bagwell to request the County's support for the purchase and training of an arson dog. Mr. Bagwell said he would contact a representative of the Fire Department regarding making a presentation at the next Commissioners' meeting on April 18th, 2005 at 9:00 a.m.

By consensus, a five minutes recess was called at 9:35 a.m.

The meeting reconvened at 9:40 a.m.

IN THE MATTER OF CLAIMS AND REPORTS:

Howard County Auditor Ann Wells presented the following reports for Commissioner information and approval:

1. **Commissioner's Salary Claims for hourly, salary, and overtime payable for April 8th and April 15th, 2005 in the amount of \$291,420.90** were considered. Mr. Bagwell made a motion to approve payment. Mr. Harbaugh seconded the motion, and it carried.
2. **Operating claims payable on April 4th, 2005 in the amount of \$697,499.16** were approved on a motion made by Mr. Bagwell. Seconded by Mr. Harbaugh, the motion carried.

IN THE MATTER OF POOR RELIEF APPEALS FOR CENTER TOWNSHIP:

A Poor Relief Hearing was rescheduled on March 18th, 2005 for Center Township on behalf of Charles F. Martin. The petitioner failed to appear and requested the hearing to be rescheduled. Mr. Martin signed an agreement stating that he waived any objections in regard to the statutory time requirements. The hearing was rescheduled and held on April 4th, 2005. At that time Commissioner Harbaugh, Poor Relief Hearing Officer, made a recommendation to uphold the written denial for assistance made by the Center Township Trustee on January 26th, 2005.

Mr. Harbaugh made a motion to uphold the denial of the Center Township Trustee based upon the finding that the Township Trustee followed the Eligibility Standards and Guidelines for Poor Relief applicable to the case. Mr. Bagwell seconded the motion, and it carried.

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

County Attorney Larry Murrell presented the following issues for Commissioner information and approval:

1. **Acquisition of Real Estate:** *(See page 6, March 21st, 2005 minutes, "In the Matter of County Attorney Issues", Item 6, for related discussion)* Attorney Murrell presented a proposed engagement letter from the law firm Barnes & Thornburg LLP. The purpose of the letter was to confirm the terms and conditions under which the law firm would represent the Board of Trustees of Howard Regional Hospital regarding imminent domain action to acquire the property located at 3609 S. Reed Road (formerly occupied by Denny's Restaurant). Included with the letter was "Barnes & Thornburg Standard Terms of Engagement for Legal Services". A copy of each document would be filed in the Auditor's Office and provided to Mr. James Alender, President and CEO of Howard Regional Health System.

Mr. Bagwell made a motion to approve the Agreement between the County and Barnes & Thornburg LLP, and authorize the President to sign on behalf of the Board. Seconded by Mr. Harbaugh, the motion carried.

2. Attorney Murrell plans to attend Tax Sale Seminar with the Treasurer and Auditor on Friday, April 8th, 2005 to receive legislative updates.
3. The **County Records Retention Committee** met and reviewed the government records and reports proposed to be destroyed. Another meeting will be scheduled in June.
4. **Status of Request for New Court:** Attorney Murrell explained that when the request came from the House, Howard County was the only county that requested a new Judge, which triggered a salary from the State. But the Senate Finance Committee added four or five other counties that were requesting new courts and judges. There was discussion that his would increase the salary request and affect the wager regarding the budgetary issue.

IN THE MATTER OF COMMISSIONER ISSUES:

The Commissioners received an update in their mail regarding the U.S. 31 Kokomo Corridor Project. A public hearing has been scheduled for Wednesday, April 13th, 2005 at Kokomo High School.

There being no further business, Mr. Bagwell made a motion to adjourn. Mr. Harbaugh seconded the motion, and it carried. The meeting closed at 10:00 a.m.

THE HOWARD COUNTY BOARD OF COMMISSIONERS

PAUL J. RAVEN, PRESIDENT

BRADLEY J. BAGWELL, VICE PRESIDENT

JOHN B. HARBAUGH, MEMBER

ATTEST:

ANN WELLS, AUDITOR
Commissioner Minutes, April 4th, 2005