

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING MAY 16, 2005

The Howard County Board of Commissioners met in Regular Session on Monday, May 16, 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 and Vice President Bradley J. Bagwell. Also present were County Attorney Lawrence Murrell and Auditor Ann Wells. Member John B. Harbaugh was ill and unable to attend.

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

As a matter of proper procedure, President Paul Raver made provision to vacate the chair when necessary, in order to carry out the business of the County, in the absence of Member John B. Harbaugh.

IN THE MATTER OF APPROVAL OF MINUTES:

The minutes from the regular meeting held on Monday, May 2, 2005, were considered and approved as submitted on a motion made by Mr. Bagwell, seconded by Mr. Raver and carried.

IN THE MATTER OF HIGHWAY ISSUES:

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

1. **Change Order #2:** Concerning Contract #B-27637, 200 South 500 East, a change order was received from Indiana Department of Transportation in the amount of \${1,422.00}. The property owner requested the ground be seeded in lieu of sod. A motion was made by Mr. Bagwell, seconded by Mr. Raver and carried to approve Change Order #2.
2. **Agreement For School Bus Turn Around:** Mr. Cain presented a request from Northwestern School Corporation, for a School Bus Turn Around on the property of Jerry Gingerich, 5616 North 500 East. The school will furnish the stone and the Highway Department will haul the stone. Approval for the turn around was given on a motion made by Mr. Bagwell, seconded by Mr. Raver and carried.
3. **Maintenance Bond for Mohr Construction Co:** The Maintenance Bond for Mohr Construction Co. was submitted. This bond is for work done for Walnut Estates Sub-division, Section 18, Phase 1, and is a three-year bond. A motion was made by Mr. Bagwell to accept the Maintenance Bond for the Walnut Estates Sub-division. The motion was seconded by Mr. Raver and carried.
4. **Resolution HCC-2005-10:** A resolution approving a County and Municipality Joint Highway Maintenance Agreement was submitted by Mr. Cain. This resolution, being an agreement between the City of Kokomo and Howard County, clarifies the traffic signals that are in county jurisdiction, so that proper reimbursement for maintenance costs can be shared. This resolution has to be approved by the Council. On a motion made by Mr. Bagwell, seconded by Mr. Raver and carried, a recommendation was made by the Board of Commissioners to approve Resolution HCC-2005-10. This recommendation will be taken to the May 17th Council Meeting.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

Howard County Sheriff, Marshall Talbert, presented the following items for Commissioner information:

1. **The current Jail population** is 266 inmates, including twelve inmates from Delaware County.
2. **Annual Inspection:** The Sheriff's Department Annual Inspection is scheduled for Thursday, May 26, 2005 at 1:30 p.m. Sheriff Talbert has extended invitations to the Board of Commissioners, County Council, and the media.

3. **One Howard County Inmate is currently in Howard Regional Health Center.** This inmate is under twenty-four hour supervision.
4. **Sergeant Larry Shipman will be returning June 6th.** Corrections Officer, Diane Howard, is currently in Arizona to pick up an inmate for return to Howard County.
5. **On request of the Department of Health, the Sheriff's Department made identification badges** for department workers. These identification badges were lined in blue so as not to be confused with the brown or red badges of the Sheriff's Department.
6. **Plumbing repair needs:** Building Supervisor, Art Fross, presented the need for plumbing repairs, to the Board (*refer to page 2, item 3 of the May 2nd Commissioner meeting minutes*). According to the blueprints, pipe joints were supposed to be installed as part of the plumbing. They were not installed, however, causing leakage problems that will not go away. Mr. Fross obtained quotes from:

Quality Plumbing and Heating	\$11,500.00	Parts and labor
Benchmark Mechanical	\$10,696.00	Parts and labor
Buckner Distributing	\$ 679.13	Parts only

Mr. Fross assured the Board, that the repair work could be done in house by the combined efforts of the Maintenance and Sheriff's departments. A motion was made by Mr. Bagwell to authorize the purchase of materials, as well as overtime needed to complete the project, with the knowledge that additional funds may need to be requested before the end of the fiscal year. The motion was seconded by Mr. Raver and carried.

7. **Ordinance No. 2005-BCC-21:** Sheriff Talbert submitted Ordinance No. BCC-2005-21 for the Board's approval. This ordinance revises the Sheriff's Department copying fees for VHS videotapes and CD-ROMS so that they conform to the fees fixed by the Indiana Supreme Court: \$35.00 per videotape and \$12.00 per CD-ROM. Ordinance No. 2005-BCC-21 was approved on a motion made by Mr. Bagwell, seconded by Mr. Raver and carried.

IN THE MATTER OF THE OPENING OF BIDS:

As specified in the legal advertisements, Notice to Bidders (*see item 5 of page 4, April 18 Commissioner Meeting Minutes*), the bids for the Administration Center and Howard Haven roofing projects were opened at 9:00 a.m. Bids were received from:

	Administration Center	Howard Haven
Arnie Cook's Roofing	\$103,494.00	\$92,144.00
McGuff Supply, Inc.	\$107,500.00	\$95,850.00

It was noted that the bid from Arnie Cook's Roofing did not comply with the specifications because it did not include a bid bond. A motion was made by Mr. Bagwell, seconded by Mr. Raver and carried to take the bids under advisement for County Attorney and Maintenance Department review.

IN THE MATTER OF PLAN COMMISSION ISSUES:

Plan Commission Director, Glen Boise, presented an **INVITATION TO QUOTE** for the demolition of buildings located at 3258 West County Road 250 South, Kokomo, Indiana. The following changes to the original Invitation to Quote were discussed:

- a. Delete the 10' x 32' detached garage.
- b. Separate pricing packages for the house and pole barn (FCC will only pay for the house).
- c. Change the language in paragraphs six through nine of the specifications to bring into compliance with Department of Health regulations.

A motion was made by Mr. Bagwell, seconded by Mr. Raver and carried to accept the Invitation to Quote with the aforementioned revisions. The quotes must be received in the Auditor's Office by 3:00 p.m. on Friday, June 3rd, to be opened at 9:00 a.m. on Monday, June 6, 2005.

IN THE MATTER OF MAINENANCE ISSUES:

Grounds Supervisor, Tom Harrison, presented the following issues for Commissioner information and approval:

1. **Mr. Harrison confirmed to the Board, that there is not a generator of appropriate size to service Howard Haven or other similar county buildings.** A request will have to be made for funds to purchase a new generator, approximately \$1500.00. Commissioner Bagwell directed Mr. Harrison to prepare instructions on wiring a generator for service, for each of the county owned buildings. He was concerned that we not wait for an emergency, but be prepared now.
2. **Mr. Harrison informed the Board of a need for more equipment storage in the downtown area.** There is a small storage area on the west side of the Courthouse but current needs have outgrown the area, as well as a need to remove the gasoline fumes that infiltrate the Adult Probation and Child Support areas of the Courthouse. One alternative would be a wood building in the parking lot on the corner of Buckeye and Mulberry Streets. Maintenance may need to put that on the budget requests for fiscal year 2006.
3. The new **Air Conditioning unit installed in the Government Center** is ready for hook up.
4. **Request For Qualifications From Consulting Engineers With Expertise In Commercial HVAC Systems:** Mr. Harrison and Mr. Murrell presented the Request For Qualifications, to be submitted on or before 10:00 a.m. on Friday, June 17th and opened at the Commissioner meeting on Monday, June 20, 2005. Although Quality Plumbing and Heating strongly requested a meeting to discuss a possible energy savings contract, the Commissioners, by consensus, decided to continue with the Request For Qualifications procedure. A motion was made by Mr. Bagwell, seconded by Mr. Raver and carried to approve the Request For Qualifications From Consulting Engineers With Expertise In Commercial HVAC Systems, and authorize the President to sign.

IN THE MATTER OF HOWARD HAVEN ISSUES:

Howard Haven Director, Tom Tolen, presented the following issues for the Board's information and approval:

1. **Food pickup at Collins Moving and Storage:** Mr. Tolen informed the Board that there are 110 cases of donated food on the dock of the Collins warehouse, for Howard Haven, and Mr. Tolen is in need of a means to pickup and transport the food. June 1st is the day for pick-up. Sheriff Talbert and Tom Harrison offered use of their departments' trucks.
2. **President Raver read a copy of the letter Mr. Tolen sent to the Sheriff's Road Crew,** thanking them for all their help in beautifying and maintaining the grounds. Mr. Raver also read a letter from Mr. Tolen, informing the Board of an upcoming project sponsored by Leadership Kokomo (Chamber of Commerce activity). They have offered to help update the restroom facilities, make the showers handicapped accessible, and redecorate the living room with new window treatments, wall color, etc. Three thousand dollars have already been raised toward this project.
3. **Request For Application:** Mr. Tolen presented a request for application for Mr. Ronald Lee Teel. Mr. Teel is a resident of Kokomo and is developmentally handicapped. His mother has passed away recently but he has a sister here, in Kokomo. He would come as a private pay resident and a trust fund is being set up for him, as well as instruction for government assistance. Mr. Tolen informed the Board that this is the last time the present application will be used. Mr. Tolen is working on an updated application that reads more like a contract between the county and the resident. Mr. Murrell instructed Mr. Tolen to submit a copy to Center Township Trustee, Jean Lushin. Mr. Lushin is the trustee representative to the County Home and was on the committee that constructed the present application. Built into the present application are certain trustee regulations. A motion was made by Mr. Bagwell to approve the application

for Ronald Teel on a ninety day probation period, and authorize the President to sign. The motion was seconded by Mr. Raver and carried.

4. **Howard Haven Medication Set-Up:** Mr. David Lawson is the nurse who contracts with Howard Haven concerning the medication set-up for the residents, on a weekly basis. Mr. Lawson has offered to supply more services for the Home for a monthly fee of \$400.00. Those services could include screening potential residents, and screening present residents on a monthly basis to stay eligible with Medicaid and Howard Haven regulations. Mr. Murrell directed Mr. Tolen to gather a list of services to be rendered and present them to Mr. Murrell so the current contract can be revised.

IN THE MATTER OF THE DEPARTMENT OF CORRECTIONS GRANT:

Mr. Don Travis, Juvenile Probations Supervisor, submitted the Department of Corrections Grant for Commissioners' signatures. This Grant was approved in February (*refer to page 5 of the February 7, 2005 minutes, "In the matter of Juvenile Community Corrections Grant Application"*).

IN THE MATTER OF DEPARTMENT OF HEALTH ISSUES:

Ms. Sue Norris, Ms. Jennifer Sexton, and Mr. Ryan Nehl, of the Department of Health, presented the following issues for Commissioner information and approval, after expressing gratitude to the Sheriff's Department for their new badges:

1. **Ordinance No. 2005-BCC-22:** Ms. Norris submitted Ordinance No. 2005-BCC-22 for Board approval. This ordinance is a Retail Food Establishment and Bed and Breakfast Establishment ordinance that incorporates a new state sanitation rule, as well as new standards for food handler certification (one person per establishment), and new monetary penalties for health code violations.

A motion was made by Mr. Bagwell, seconded by Mr. Raver and carried to approve Ordinance No. 2005-BCC-22, the Retail Food Establishment And Bed And Breakfast Establishment Ordinance.

2. **The Indiana Statewide Mutual Aid Agreement for District #6:** Ms. Jennifer Sexton and Mr. Ryan Nehl presented this statewide mutual agreement, rendering aid to other counties in the event of a hazard or disaster. This copy is the final agreement approved by the state, and states that the local health officer is the one who makes the decision on sending aid or resources, based on events occurring in their own county. In matters of reimbursement, the county that receives aid is responsible for reimbursing the county that gives aid. Ms. Sexton went on to explain several other items of the agreement.

Mr. Murrell explained that because this is an inter-local agreement, it needs to be approved by the fiscal body, first, and then receive authorization and signatures of the Board of Commissioners. The next step of the process would be to file it with the State Board of Accounts within sixty days. Mr. Murrell will do a new signature page after it is approved by the County Council.

A motion was made by Mr. Bagwell to approve the Indiana Statewide Mutual Aid Agreement in Indiana Public Health Preparedness District #16, subject to Council approval, and authorize the President to sign on behalf of the Board of Commissioners. This motion was seconded by Mr. Raver and it carried.

IN THE MATTER OF THE MEMORANDUM OF AGREEMENT CONCERNING THE WHEELCHAIR LIFT PROJECT AT THE SEIBERLING MANSION:

Howard County Historical Society Director, Kelly Thompson, submitted the **Memorandum of Agreement between the City of Kokomo and The Indiana State Historic Preservation Officer, submitted to the Advisory Council on Historic Preservation, regarding the installation of a wheelchair lift at the Seiberling Mansion, 1200 West Sycamore Street** (*though Howard County is not listed in the name of the agreement, they are the legal property holders of the Seiberling Mansion; they are included in the execution of the agreement, page 3, and invited to be a signatory on page 4*). In 2003, the Historical Society received a Block Grant from the City of Kokomo, in the amount of \$17,000.00, for the installation of a wheel chair lift at the Seiberling Mansion. The Mansion is on the

National Register of Historic Places. In order to make a change to the building, several regulations must be followed and plans have to meet Department of Natural Resources and Historic Preservation approval. Dimensions did technical drawings of a lift installed on the north side of the mansion. A portion of the outside wall will have to be disassembled and the bricks stored, in the event the lift would be removed and the original wall be reassembled. These drawings were approved by Department of Natural Resources, and copies of an agreement have been submitted. The original document is at the state for their signatures, so Ms. Thompson asked the Board for their approval now, to be signed upon receipt from the state.

The Memorandum of Agreement Between the City of Kokomo and the Indiana State Historic Preservation Officer Regarding the Installation of a Wheelchair Lift at the Seiberling Mansion, was approved, and the President was authorized to sign on behalf of the Board of Commissioners, on a motion made by Mr. Bagwell, seconded by Mr. Raver and carried.

IN THE MATTER OF THE BOARD OF COMMISSIONER RECOMMENDATION TO THE U.S. 31 COALITION:

When President Raver asked if there were any additional items of new business, taxpayer Eric Barko, asked for clarification regarding the Board's recommendation of by-pass options (*reference page 6 of the May 2nd Commissioner meeting, item #2*). During the ensuing discussion an amendment to the recommendation was considered, regarding the addition of an interchange at the Touby Pike / Morgan Street area; that might help provide greater accessibility to Industrial Park and the Airport.

A motion was made by Mr. Bagwell, seconded by Mr. Raver and carried to modify the Commissioner recommendation to the U.S. 31 Coalition, to "Alternative G" with the south starting point approximately one quarter mile north of points noted, and an additional interchange to be located in the Touby Pike / Morgan Street area, to better accommodate traffic to the Industrial Park and the Airport. Auditor Ann Wells will modify the written recommendation letter as stated.

IN THE MATTER OF CLAIMS AND REPORTS:

Ann Wells, Howard County Auditor, submitted the following items for Commissioner information and approval:

1. **Commissioners' Salary Claims:** Salary, Hourly and Overtime claims, to be paid on May 20 and 27, 2005, in the amount of \$291,420.90, were submitted and approved on a motion made by Mr. Bagwell, seconded by Mr. Raver and carried.
2. **County Operating Claims:** Operating claims payable May 16, 2005, in the amount of \$500,901.94 were submitted and approved on a motion made by Mr. Bagwell, seconded by Mr. Raver and carried.

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

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

1. **Claim Voucher from Mendenhall & Associates, LLC:** Mr. Murrell submitted a claim from Mendenhall & Associates, LLC in the amount of \$5,000.00, for services rendered as the grant administrator for the Taylor Township Regional Sewer District; this claim has been approved by the Taylor Township RSD. A motion was made by Mr. Bagwell to approve the claim in the amount of \$5,000.00 and authorize the President to sign. The motion was seconded by Mr. Raver and it carried.
2. **Letter to State Historic Preservation Officer:** The Taylor Township Regional Sewer District is ready to submit the housing implication to connect homeowners to the wastewater line. A letter has been submitted for the Auditor's signature, authorizing Mendenhall & Associates to perform the Environmental Review. This letter states that there are no Historic Properties affected by the Taylor Township Regional Sewer District.

A motion was made by Mr. Bagwell, seconded by Mr. Raver and carried to approve the letter to the State Historic Preservation Officer, and authorize the Auditor to sign.

IN THE MATTER OF COMMISSIONER ISSUES:

1. **Mr. Raver received a letter, from the United States Post Office in Indianapolis, to inform the Board of a meeting at the local branch office** concerning the installation of a new Bio-Hazard Detection System. Since the Treasurer's Office receives a greater amount of mail than any County Office, Martha Lake agreed to attend the meeting on behalf of the county.
2. Tuesday morning, May 17th, there will be a **meeting with The Schneider Corporation to give a GIS Committee update.**
3. **The Innkeeper's Tax will expire before the termination date of the lease on the Johanning Civic Center.** The Board will consider options to extend the termination date.

There being no further business, a motion was made by Mr. Bagwell, seconded by Mr. Raver and carried to adjourn the meeting. The meeting adjourned at 10:50 a.m.

THE HOWARD COUNTY BOARD OF COMMISSIONERS

PAUL J. RAVER, PRESIDENT

BRADLEY J. BAGWELL, VICE PRESIDENT

JOHN B. HARBAUGH, MEMBER

ATTEST:

ANN WELLS, AUDITOR
Commissioner Minutes, May 16, 2005