

## **HOWARD COUNTY BOARD OF COMMISSIONERS MEETING AUGUST 1, 2005**

The Howard County Board of Commissioners met in Regular Session on Monday, August 1, 2005, at 8:30 a.m. in Hearing Room No. 338 of the Howard County Administration Center. Those in attendance included Board of Commissioner President Paul J. Raver and Vice President Bradley J. Bagwell. Also in attendance were Assistant County Attorney Brian Oaks and Auditor Ann Wells.

*Due to the absence of Commissioner John B. Harbaugh, as a matter of proper procedure, President Paul Raver vacated the chair, when necessary, in order to carry out the business of the County.*

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 July 18, 2005 Regular Meeting, having been previously submitted, were reviewed and discussed. Mr. Raver wanted clarification of the statement on page 7, item d., "The PERF rate is being raised ¼ percent (5.75) in 2006", to include the word "Pension". A motion was made by Mr. Bagwell, seconded by Mr. Raver and carried, to approve the minutes of the July 18, 2005 Regular Meeting with the following amendment:

**"The PERF Pension rate is being raised ¼ percent (5.75) in 2006."**

### **IN THE MATTER OF HIGHWAY ISSUES:**

In the absence of Howard County Highway Engineer/Superintendent Ted Cain, Commissioner Raver and Mr. Wyatt Johnson presented the following issues for Board information and approval:

1. Mr. Raver reported that during the storms that hit Howard County on Wednesday, July 27<sup>th</sup>, **the vendor that supplies the material for the Chip and seal work, Hanson Aggregates, was hit by a tornado.** So, while that process is suspended, the Highway crew is busy picking up limbs and clearing the damage from the storm.
2. Mr. Wyatt Johnson submitted a **Performance Bond from Baumgartner & Company, Inc. for Phase 1 of the Sycamore Farms Project.** This bond covers traffic control signs, curb and integral gutter, and pavement, including stone base and compaction. A motion was made by Mr. Bagwell to approve the Performance Bond from Baumgartner & Company, Inc. for Phase 1 of the Sycamore Farms Project, as submitted. The motion was seconded by Mr. Raver and carried.
3. **Mr. Johnson submitted a request for permission to use the Right-of-Way along the West side of Davis Road to install a sanitary sewer force main to connect to the City's system, for the Transfer station** owned by Republic Services Inc. d/b/a/ Wabash Valley Refuse Removal. They would agree to maintain the sewer line as well as install it. On a motion made by Mr. Bagwell and seconded by Mr. Raver, approval was made to allow Republic Services Inc. d/b/a Wabash Valley Refuse Removal to install and maintain a forced sewer main on the West Side of Davis Road, subject to an agreement made in writing and submitted to the Board of Commissioners.

### **IN THE MATTER OF SHERIFF ISSUES:**

Sheriff Talbert submitted the following issues for Commissioner information and approval:

1. **Sheriff Talbert publicly congratulated Highway Engineer/Superintendent, Ted Cain**, and his department, for the timely and efficient way they responded to the task of removing fallen trees, limbs, and debris resulting from the storms in Howard County on Wednesday, July 27<sup>th</sup>.
2. **The current jail population is 333 inmates, nine over capacity.**
3. **Sheriff Talbert submitted quotes for three Ford Crown Victorias** from the following vendors:

Bloomington Ford	\$58,184.25
Kokomo Auto World	\$67,036.75

Sheriff Talbert recommended the vehicles be purchased from Bloomington Ford; three vehicles and trade in discounts in the amount of \$58,184.25. A motion was made by Mr. Bagwell, seconded by Mr. Raver and carried, to authorize the purchase of three Ford Crown Victoria Interceptors from Bloomington Ford, in the amount of \$58,184.25.

4. Because of the rising costs of fuel, Sheriff Talbert wanted to inform the Board that he will be going before the Council for an **additional appropriation**, because there are not enough funds in the fuel account to take them through the rest of this year.

#### **IN THE MATTER OF PLAN COMMISSION ISSUES:**

Plan Commission Director, Glen Boise, presented these issues for Board information and approval.

1. The following plats were submitted for approval:
  - a. **Case 15-CP-05**- one (1) lot in Bud & Lois Subdivision located at 1212 East 550 North. A motion was made by Mr. Bagwell, seconded by Mr. Raver and carried to approve Case 15-CP-05.
  - b. **Case 16-CP-05** - one (1) lot in Stella's Subdivision located at 1308 East 450 North. Case 16-CP-05 was approved on a motion made by Mr. Bagwell and seconded by Mr. Raver.
  - c. **Case 13-CP-05** - one (1) lot in Archer Estate Subdivision located at 5570 East 300 South. A motion was made by Mr. Bagwell, seconded by Mr. Raver and carried to approve Case-13-CP-05.
  - d. **Case 20-CP-05** - one (1) lot in Wheeler-Bennett Subdivision located at 6640 West 90 South. A motion was made by Mr. Bagwell, seconded by Mr. Raver and carried to approve Case 20-CP-05.
  - e. **Case 10-CP-05** - one (1) lot in 1<sup>st</sup> Church of God Subdivision located at 3937 South 100 West. Case 10-CP-05 was approved on a motion made by Mr. Bagwell and seconded by Mr. Raver.
2. **Ordinance 2005-BCC-36:** Rezoning of property located at 2101, 2105, and 2109 South Dixon Road, from R-1 (residential) to B-1 (Local Business), Community First Bank of Howard County. A motion was made by Mr. Bagwell, seconded by Mr. Raver and carried, to approve Ordinance 2005-BCC-36.

3. **Resolution 2005-BCC-15:** Updated Fee Resolution. Mr. Boise explained that the current fees were adopted in 1982 - 1983. The fees included in the new resolution more reflect the actual costs of administrating and hearing cases. Mr. Boise has approved this resolution as well as the Plan Commission. A motion was made by Mr. Bagwell, seconded by Mr. Raver and carried, to approve Resolution 2005-BCC-15 with an effective date of January 1, 2006.
4. The excavation of the property located at 3258 West County Road 250 South, Kokomo has been completed. **The former owner contacted Mr. Boise and informed him that he had missed a building.** A shed had been washed away from its original site and was located, by the owner, at the edge of the property, across the creek. Mr. Boise would like to submit a change order to include excavation of the remains of the shed in the amount of \$1,100.00. After some discussion, it was the consensus of the Board to take this request under advisement, and allow the Sheriff's Department to investigate the situation and make a recommendation concerning using an inmate work crew to complete the project.
5. **The Multi Hazard Mitigation Steering Committee had a meeting last week.**
6. **Mr. Boise submitted a Moratorium Resolution for prohibiting property rezoning for two years in two highway corridors** as listed below:
  - A. U.S. 31 - the area from one half mile west of the existing U.S. 31 to one mile east of the route identified as "Alternative G" by the Indiana Department of Transportation U.S. 31 - Kokomo Corridor Project Draft Environmental Impact Statement, and between County Road 500 North and County Road 500 South.
  - B. For U.S. 35 - the area from one half mile north to one half mile south of the existing highway and between the east City Limits of Kokomo and the west Town Limits of Greentown.

The moratorium will not apply to existing, approved subdivisions, or to proposed subdivisions or planned unit development located outside of corridors C and D, if they do not compromise the intent of the studies and the moratorium. The Board discussed the issue of clarifying the resolution as to who has the authority to begin and end the moratorium: the Plan Commission or the Board of Commissioners. The Board decided, by consensus, to table any action until Attorney Murrell has a chance to read the resolution.

#### **IN THE MATTER TO VACATE A PUBLIC WAY:**

Attorney Dan May was in attendance to request a Public Hearing to present a Petition to Vacate a Public Way, located at 4501 Orleans Drive (*please refer to page 6, item 1. under "In the Matter of Commissioner Issues", Regular Commissioner Meeting Minutes July 18, 2005*). A motion was made by Mr. Bagwell to set the Public Hearing to present a Petition to Vacate a Public Way for Tuesday, September 6, at 9:30 a.m. The motion was seconded by Mr. Raver and carried.

#### **IN THE MATTER OF MAINTENANCE ISSUES:**

Mr. Tom Harrison, Maintenance Supervisor, was in attendance to inform the Board of the following issues:

1. **Nolan and Company Excavating has completed the removal of the old building and the septic remains from the County Home.** The lagoon is now dry and the hook up to the city sewer line is working well.

2. **One quote was received concerning the HVAC System Upgrade Project's Engineering Phase, from Vintage Archonics in Fort Wayne, Indiana** (*please refer to page 5, "In The Matter of HVAC Upgrade for Administration Center", Regular Meeting Minutes June 20, 2005*). On a motion made by Mr. Bagwell and seconded by Mr. Raver, it was approved to meet with representatives from Vintage Archonics and Howard County, upon the return of Attorney Larry Murrell, to discuss the HVAC System Upgrade Project.
3. The additional Fuse Box project for the Department of Health offices, located in the Government Center, is almost completed (*refer to page 3, item 2 of the July 18<sup>th</sup> Regular Commissioner Meeting Minutes, "In the Matter of Maintenance Issues"*).
4. Ms. Sue Norris, Department of Health **submitted a request to move two phone lines in the Health offices (lines 2405 and 2419), and to add two new phone lines for Health Department employees Ryan Nehl and Yen Dang**. The total cost would be \$740.00 and could be paid from the Cumulative Capital line item that is supporting the office renovation. A motion was made by Mr. Bagwell to authorize the moving of two phone lines and installation of two additional phone lines in the amount of \$740.00. The motion was seconded by Mr. Raver and carried.

*On a motion made by Mr. Bagwell and seconded by Mr. Raver, the Meeting was recessed at 9:36 a.m. and reconvened at 9:45 a.m.*

#### **IN THE MATTER OF PERSONNEL ISSUES:**

Personnel Director, Wanda McKillip presented the following issues for Board information and approval.

1. Mrs. McKillip submitted a **Memorandum regarding PERF Pre-tax Voluntary Contributions**, to be distributed with payroll checks. August 31, 2005 is the final deadline to sign up for the PERF Pre-tax Voluntary Contribution. A motion was made by Mr. Bagwell, seconded by Mr. Raver and carried to approve the Memorandum and to authorize its inclusion with the payroll checks.
2. **Personnel is still working on a spreadsheet that tracks the impact on Insurance and PERF rates for potential county employee raises of 3% - 5%.**

#### **IN THE MATTER OF INFORMATION SYSTEMS:**

In the absence of Mr. Terry Tribby, Mr. John Templin, Information Systems, presented the following issues for Commissioner information and approval:

1. Mr. Templin publicly welcomed **their part-time worker, Jason Andreas, into full-time status.**
2. **Mr. Templin gave a report to the Board concerning the damage from last week's storms.** The E911 Wireless Backbone remained functional during the storm. Nine PC's were lost and one PC at the Criminal Justice Center sustained some damage. One server was damaged but was repaired by the end of the next day.
3. Concerning the **mobile network system hook ups in the Wireless Project**, Fire Station #6 is the next hot spot, then on to Stations #3 and #4.

### **IN THE MATTER OF POWER AMPLIFIERS FOR E911:**

Mr. Steve Kline and Commissioner Bagwell presented a need for the replacement of seven power amplifiers in the building where the tower is located, and one antenna on the E911 tower. There are three antennas located there; one receiver and two transmitters. The receiver antenna has a hole in it and needs to be replaced. Integrity Communications has submitted a quote as follows:

Seven Power Amplifiers	\$1,850.00 each	\$12,950.00
Antenna and installation		<u>\$ 2,900.00</u>
		\$15,850.00

On a motion made by Mr. Bagwell, seconded by Mr. Raver and carried, the Board approved to recommend to the Council, the purchase of seven power amplifiers and one antennae plus installation, in the amount of \$15,850.00, to be purchased from Integrity Communications. An Additional Appropriation, for the August 23<sup>rd</sup> meeting, needs to be requested for the Cumulative Capital and the Edit Funds, then let the Council decide which fund to pay from.

### **IN THE MATTER OF A CONTRACT FOR A NEW HOME MONITORING VENDOR FOR IN HOME DETENTION:**

Mr. Steve Maus, Director of Community Corrections and In-Home Detention, presented an amended contract from Sentinel Offender Services, concerning an extension of the current system of Global Positioning, required for violent offenders. This contract was previously reviewed by Attorney Murrell, and his amendments were submitted to the vendor for their review and approval. Assistant County Attorney Brian Oaks reviewed the amended contract and reported that it includes the changes Mr. Murrell had made. A motion was made by Mr. Bagwell to take the contract under advisement until the August 15, 2005 meeting, giving Attorney Murrell a chance to review the amended contract. The effective date will be changed to read August 15, 2005. The motion was seconded by Mr. Raver and carried.

### **IN THE MATTER OF CLAIMS AND REPORTS:**

Auditor Ann Wells submitted the following issues for Commissioner information and approval:

1. **Commissioners' Salary Claims for August 5<sup>th</sup> and August 12, 2005 in the amount of \$291,420.90.** A motion was made by Mr. Bagwell, seconded by Mr. Raver and carried to approve the Commissioners' Salary Claims in the amount of \$291,420.90.
2. **County Operating Claims for August 1, 2005, in the amount of \$240,513.70.** On a motion made by Mr. Bagwell and seconded by Mr. Raver the County Operating Claims, in the amount of \$240,513.70 were approved.

### **IN THE MATTER OF COMMISSIONER ISSUES:**

1. The Commissioners reviewed the proposal of putting maintenance issues for all County buildings in the Commissioner's Budget, instead of separate departmental budgets, as exists now (*refer to page 6, item 4a., "In The Matter of Commissioner Issues" of the July 18, 2005 Commissioner Regular Meeting Minutes*). They agreed, by consensus, to bring the proposal to the Council.
2. **Sheriff Talbert spoke to the Board, of issues he has concerning Courthouse Security.**

- a. The Sheriff's Department is not informed of upcoming vacation schedules of the court security officer, but must supply personnel to cover security while they're gone.
  - b. Court security officer replacement costs must come from the Sheriff's Part Time or Over Time accounts.
  - c. With experience and training being valuable commodities, he would like to know they are receiving the correct amount of training.
3. **For the 2005 Fiscal Year, the salaries of Information Systems employees were taken from County General and Cumulative Capital Funds.** By consensus, the Board decided to follow the same procedure for the 2006 Fiscal Year.
4. There are several Railroad Bridges in Howard County that need attention. **The greatest need, at the present time, is the Railroad Crossing Bridge on Markland Avenue.** The road under the bridge is only one lane and is so low that it often floods. Trucks are not able to use that route because the bridge is too low. Mr. Bagwell suggested that, since the Sycamore intersection has been designated as "out of service", this would be an opportune time to contact the Railroad Company and ask them to declare the Markland Road Bridge "out of service". Once that has been accomplished, work could be done on the bridge, and the road widened. The County can petition the Indiana Department of Transportation to make it an at grade rail-highway intersection.
5. Mr. Raver informed the Board of the article that appeared in the comment section of the Kokomo Tribune, **thanking Howard County Commissioners for their support and cooperation during the Howard County Fair.**

There being no further business to come before the Board, a motion was made by Mr. Bagwell, seconded by Mr. Raver and carried to adjourn the meeting. The meeting was adjourned at 10:21 a.m.

**HOWARD COUNTY BOARD OF COMMISSIONERS**

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PAUL J. RAVEN, PRESIDENT

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BRADLEY J. BAGWELL, VICE PRESIDENT

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JOHN B. HARBAUGH, MEMBER

ATTEST:

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ANN WELLS, AUDITOR  
Commissioner Minutes August 1, 2005