

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING APRIL 18, 2005

The Howard County Board of Commissioners met in Regular Session on Monday, April 18th, 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, April 4th, 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. **Approval of New Streets:** The new streets in Walnut Estates Subdivision, Section 18, Phase I, were approved on a motion made by Mr. Bagwell, seconded by Mr. Harbaugh, and carried. The contractor will be responsible for the maintenance of these improvements for three (3) years after the acceptance of the streets, and is required to provide a three (3) year maintenance bond.
2. **Requisition for Additional Appropriations for the Local Road and Street Fund (007)** as follows:

<u>Approp. No.</u>	<u>Account</u>	<u>Amount</u>
07-23754	Bituminous	\$243,184.00

Mr. Cain explained that the City of Kokomo contributed approximately \$230,000.00 for the Dixon Road Project in 2004. The County Auditor notified the State and made them aware of this so that the County could receive additional money. For an unknown reason the money was added in and the County Highway Budget was reduced at the same amount. Mr. Bagwell made a motion to approve the request for additional appropriations as presented. Mr. Harbaugh seconded the motion, which carried.

3. **Requisition for Additional Appropriations for the Cumulative Bridge Fund (006)** as follows:

<u>Approp. No.</u>	<u>Account</u>	<u>Amount</u>
22410	Stone	\$ 20,000.00
22430	Bituminous	\$ 352,000.00
24321	Gas, Oil & Lube	\$ 14,000.00

Mr. Cain anticipates receiving approximately \$40,000.00 in Federal Disaster funds resulting from the winter ice storm. Mr. Cain stated if any additional money is needed before the funds come in, he would request transfers from other accounts. Mr. Bagwell made a motion to approve the additional appropriation requests. Seconded by Mr. Harbaugh, the motion carried.

4. **Project Updates:**
 - a. **Bridge No. 157:** The repair work to Bridge 157 located on Road 125 North was completed; the bridge was open to traffic on Wednesday, April 13th, 2005.
 - b. **Bridge No. 51:** The asphalt and concrete was replaced on the deck of Bridge 51 located on Road 500 East. It will be open to traffic tomorrow on April 19th, 2005.

- c. **Bridge No. 61:** The bridge located on Road 200 South near State Road 19 is in the process of being paved.
 - d. **Webster Street Bridge:** The contractor for the project indicated that the repair work would not begin until August 2005. Due to cracks and deterioration of the deck, Mr. Cain commented that it is essential to complete the bridge work this year; postponement of the repairs would increase the costs for the project.
 - e. **Road 400 North Project:** The contractors are working on finishing the dirt work on the project.
 - f. **Dixon Road Project:** The storm sewers are currently being installed.
5. **Complaints Received:**
- a. The county received an anonymous e-mail concerning litter along Davis Road, especially between Morgan Street and 450 North. Mr. Raver stated that he received a telephone call from Michael Nielander regarding this matter. Mr. Cain said he recently spoke to a gentleman in his office regarding trash along Davis Road. Mr. Cain stated that the County Highway Department does not generally pick up trash. He suggested alternatives to the gentleman such as contacting various community agencies to clean up the area. If the trash would be placed in bags and placed in a centralized location, then Mr. Cain would be willing to have Highway Department crew haul away the bags.
 - b. Mr. Raver received a telephone call from a citizen in the Town of New London regarding trees falling down in an alley. The Highway Department does not maintain the alley ways in the County. Mr. Cain said the property owners are responsible for maintaining the alleys in New London.
6. E & B Paving, Inc. has scheduled a workshop on Thursday, April 21st, 2005.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

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

1. **Vehicle Update:**

- a. The two unmarked vehicles that were ordered from Kokomo Auto World were delivered to the Sheriff's Department.
- b. Sheriff Talbert reported that an unmarked pool car has a blown engine. The 1996 Chrysler LHS has approximately 77,000 miles and the exterior is in good condition, therefore the Sheriff proposes to place the vehicle in the annual County auction. Not being able to use this vehicle has created transportation complications. Sheriff Talbert proposes to replace the vehicle with a Chrysler Concorde used by Lieutenant Greg Hargrove and purchase a new pick up truck. Brad Howell Ford has offered to sell a new 2005 4 X 4 pick up truck for \$23,612.00. Because the price is less than \$25,000.00, the purchase would be considered a small purchase. Lieutenant Hargrove talked about the advantages of using a pickup truck instead of the passenger car, especially when transporting dive team equipment or recovering stolen property. The Sheriff said there is enough money in the automobile line item in the budget to purchase the truck.

Mr. Bagwell made a motion to authorize the purchase of the 2005 F-150 Truck from Brad Howell Ford at a price of \$23,612.00 and to consider the price as a "small purchase" in accordance with the County Purchasing Policy because the cost is less than \$25,000.00. Seconded by Mr. Harbaugh, the motion carried.

2. **Vehicle Insurance Issue:** (See page 2, February 27th, 2005 minutes, “In the Matter of Sheriff Department Issues”, Item 1, for related information) Early this year the Sheriff’s Department took possession of the 2002 Chevrolet Tahoe vehicle formerly used by the Greentown Special Police. The Auditor’s Office received a notice from Miles and Finch Insurance that a 2005 Tahoe was being added to the insurance list for the county. Currently the Auditor’s Office is in the process of verifying whether this information pertains to the 2002 Chevy Tahoe. Sheriff Talbert said he would provide a copy of the list of vehicles in the fleet to Miles and Finch Insurance for further verification.
3. **Power Outage Issues:** Mr. Raver thanked Sheriff Talbert for his concern and offer to assist Howard Haven Residential Center during a recent power outage. When the electric company estimated the electricity would be off for approximately eight hours, Sheriff Talbert talked to Howard Haven Director Tom Tolen about moving perishable food items to the jail freezer. The electricity was restored fairly soon and moving the food was not necessary. The Commissioners suggested looking into what it would take to make all county owned buildings accessible for connecting a power generator.

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. **Unsafe Buildings:** Mr. Boise reported that four (4) new properties were added to the investigation list, increasing the total number to eight (8) properties. Mr. Boise confirmed that the house located on 100 North at approximately 540 East has been added to the list. Mr. Boise said he did not have an opportunity to investigate any of the properties due to involvement with several current projects.
2. **Flood Mitigation Issues:** Mr. Boise, with assistance from the County Attorney, is working on the closing of the property located at 3258 West 205 South, owned by Michael J. and Rhonda K. Randall. Once approval has been received from S.E.M.A., the closing would proceed on the property located at 500 Ridge Road, owned by John F. K. Fike.
3. **Multi-Natural Hazard Mitigation Update:** Mr. Boise sent out invitations to potential members to form a committee that will meet with the consultant who is working with the multi-natural hazard mitigation plan. The first meeting was scheduled in the afternoon on Tuesday, April 26, 2005.
4. **U.S. 31 Coalition:** A State meeting was scheduled on the evening of April 19th, 2005 at the Kokomo High School to present the public with possible plans for the upgrade to the U.S. 31 bypass.

IN THE MATTER OF MAINTENANCE DEPARTMENT ISSUES:

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

1. **Department of Health:** The Environmental staff conveyed that they wanted additional office space. Mr. Harrison attended a meeting with members of the Board of Health and it was discussed that there is no additional space available. The layout of office furniture and equipment has been assigned to the Environmental Division subject to approval by Director Kris Conyers. Once the final design has been completed the Maintenance Department would be responsible for the electrical wiring.
2. **Update on Electrical Boxes at Courthouse:** (See page 4, April 4th, 2005 minutes, “In the Matter of Maintenance Department Issues”, Item 3, for related discussion) Mr. Harrison contacted City Electrician Kim Phipps for input regarding removing the boxes around the Courthouse square. Mr. Phipps has been busy and has not had a chance to reply.
3. **Administration Center:** The ivy plants on the landscaping on the north side of the Administration Center are not doing well and there are patches of exposed soil. Mr. Harrison proposes to improve the

aesthetics of the site by replacing the ivy mounds with grass and/or flowers. The Commissioners cautioned that lawn sprinklers are buried in the ivy mounds.

4. **Roof Repairs:** (See page 3, April 4th, 2005 minutes, “*In the Matter of Maintenance Department Issues*”, Item 1, for related discussion) The County Attorney assisted Mr. Harrison with drafting specifications for roof repairs on the Howard County Administration Center and Howard Haven Residential Center. Contractors would have the opportunity to bid on one or both of the projects. Attorney Murrell said he would help put together a bid package, which would include specifications and the notice to bidders. Copies of the bid package would be available in the County Auditor’s Office. The Notice to Bidders would be published twice, one week apart in the Kokomo Tribune and the Kokomo Herald.

Mr. Bagwell made a motion to approve the bid specifications and authorize the advertisement of the Notice to Bidders; and establish the deadline to receive bids on or before 4:00 p.m. on Friday, May 13, 2005 in the Howard County Auditor’s Office, 222 N. Main Street; and open the bids on Monday, May 16, 2005 at 9:00 a.m. in Hearing Room No. 338 of the Howard County Administration Center. Mr. Harbaugh seconded the motion, and it carried.

5. **Administration Center HVAC Upgrade:** Mr. Harrison recommended contacting an engineer to design the new HVAC for the Administration Center. He estimated that the project would cost approximately \$200,000.00. Attorney Murrell suggested putting out a simple Request for Proposals to various engineering companies, which could generate competitive prices. Mr. Harrison was in favor of sending Request for Proposals.

9:35 a.m.

***The Board of Commissioners called a recess, by consensus to hold a Board of Finance Meeting.
The Howard County Board of Commissioners meeting re-convened at 9:40 a.m.***

IN THE MATTER OF PERSONNEL ADMINISTRATOR ISSUES:

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

1. **Change of Position:** The Second Deputy position in the Recorder’s Office has not been filled this year. The Recorder requested a permanent job share position to be funded by one half of the Second Deputy salary, which would make the fifth position in the office. The recent software conversion has streamlined the Recorder’s Office to the extent that they were able to eliminate a full-time position, but proposes a job share position to be available during their busy spring and summer schedule. In order to facilitate the change, the Recorder submitted a request to change a Second Deputy 1114 (Full-time position) to Second Deputy Job Share Position 1114.01. In regard to this change, the Recorder requested a salary transfer from Second Deputy to Job Share of \$13,382.00 and the remaining appropriation reduced to zero. The PAC reviewed the request and recommended changing the position as requested by the Recorder and transferring the salaries as stated above.

Mr. Bagwell made a motion to grant a favorable recommendation to the report from the PAC with reference to the Howard County Recorder Second Deputy Position. Mr. Harbaugh seconded the motion, and it carried.

2. **The State of Indiana Deferred Compensation Plan:** Effective April 1, 2005, the State of Indiana Deferred Compensation Plan will be administrated by Great-West Retirement Services instead of ING. Informational meetings have been scheduled for Wednesday, April 27th, 2005 in Room 101 of the Howard County Government Center at 120 East Mulberry Street. The schedule of meeting times, from 1:00 p.m. to 3:00 p.m., will be distributed with the payroll on Friday, April 22nd.

Mr. Bagwell made a motion to approve the informational meetings for the Deferred Compensation Plan to be held on the date and times as outlined above. Seconded by Mr. Harbaugh, the motion carried.

3. **Supplemental Insurance:** Colonial Supplemental Insurance Representatives will meet with interested employees on Thursday, May 5th and Friday, May 6th, 2005 to discuss voluntary insurance plans available through payroll deduction. A schedule of times and locations of the meetings will be distributed with employee paychecks on Friday, April 29th, 2005.

Mr. Bagwell made a motion to approve the meetings for Colonial Supplemental Insurance as noted. Seconded by Mr. Harbaugh, the motion carried.

4. **PERF To Include Solid Waste District:** The Howard County Solid Waste District Board proposed changing their current retirement fund to the County Public Employment Retirement Fund with the coverage to begin July 1, 2005. The deadline to submit the change to PERF is May 5, 2005. The Solid Waste District would reimburse the County 100% for their investment in PERF. Mrs. McKillip requested a recommendation from the Commissioners regarding amending the PERF Ordinance to include the three employees from the Solid Waste District. Following approval by the Commissioners, the County Council would need to approve and sign the enlargement documents at their next meeting on April 26th, 2005.

Mr. Bagwell made a motion to recommend adding the Howard County Solid Waste District to the County's PERF. Mr. Harbaugh seconded the motion, which carried.

5. **Child Abuse Awareness Month:** April has been designated as Child Abuse Awareness Month; and April 18 – 22 has been proclaimed as "Blue Ribbon Week". The Division of Family and Children's Services proposes to distribute blue ribbons to the county employees in the Howard County Administration Center.

Mr. Bagwell made a motion to participate in the "Blue Ribbon Week" by authorizing the distribution of blue ribbons for Child Abuse Awareness Month. Seconded by Mr. Harbaugh, the motion carried.

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 4, April 4, 2005 minutes, "In the Matter of Information Systems Director Issues", Item 1, for related discussion)* The County Council gave approval to move forward with the proposal to update the security at the Courthouse and relocate the old video equipment to the Administration Center. Mr. Tribby commended Aadco, Inc. for their excellent work installing the audio/video security system in the Administration Center so quickly. Sheriff Deputy Craig Trott can monitor specific areas of the building from his security office located in the Courthouse.

Only the Treasurer's Office and Auditor's Office have both video and audio capability. The audio's sensitivity range reaches to the rear of the offices. Because of the keen sensitivity of the audio, privacy concerns were discussed. Auditor Ann Wells suggested turning off the audio during the weekends. Mr. Bagwell suggested implementing a policy that the recordings may only be downloaded onto a CD when an incident has occurred. The Commissioners were in agreement to turn off the audio on weekends until further notice to determine how it would work out.

Mr. Bagwell made a motion to direct Information Systems to turn off the audio portion of the security monitoring system in the Administration Center on weekends from 4:00 p.m. on Fridays to 8:00 a.m. on Mondays. Mr. Harbaugh seconded the motion, and it carried.

3. **Commissioner E-Mail:** Currently the individual Howard County Commissioner e-mail is omitted on the County Website Homepage. Mr. Tribby recommended setting up the e-mail as commissioners@co.howard.in and have the mail forwarded to the Commissioners' individual addresses. The Commissioners stated their preference to post their individual e-mail addresses and Commissioner e-mail address on the website.
4. **Computer Upgrade - Administration Center:** (*See page 4, April 4th, 2005 minutes, "In the Matter of Information Systems Director Issues", Item 4, for related discussion*) To date, Information Systems personnel has completed the installation of twenty-two work stations in the Administration Center. Mr. Tribby anticipates the final group of computers to arrive soon.
5. **Audio Recording Storage:** Mr. Tribby met with Judge Lynn Murray and Judge Menges to discuss off-site storage for the audio recordings from the courts. Mr. Tribby the issue regarding off-site storage continues to be researched for the best possible solution.
6. **Internet Policy Change:** The County Attorney presented Resolution No. 2005-BCC-06, a Resolution of the Howard County Board of Commissioners Amending the Howard County Internet Policy Adopted August 16, 2004. The changes would allow limited personal use of the County's e-mail system and Internet access during non-business hours.

Mr. Bagwell made a motion to approve Resolution No. 2005-BCC-06 as presented. Mr. Harbaugh seconded the motion and it carried.

IN THE MATTER OF DONATION FOR ARSON DOG:

Mr. Pat Oneill, Fire Marshall Investigator and Howard County Fire Arson Task Force, conducted a presentation regarding the Kokomo Fire Department's proposal to purchase an arson dog. Mr. Oneill explained the accelerant dog program would serve many purposes in the county and regions. Sizeable donations have been received from area volunteer fire departments, law enforcement agencies, and Howard County Trustees. Donations were also received from Miami and Cass counties. Mr. Oneill has been assigned to handle the dog and a certified law enforcement dog handler from Miami County will serve as a back up handler. Mr. Oneill said the money to fund the accelerant dog program falls short approximately \$2,000.00.

Mr. Bagwell made a motion to request the County Council for an appropriation of \$2,000.00 from the Economic Development Income Tax Fund to help support the accelerant dog program. Mr. Harbaugh seconded the motion, which carried.

IN THE MATTER OF CONSULTING PRESENTATION:

Ms. Kelly Mitchell conducted a five minute presentation to introduce United Consulting Engineers & Architects. The company's scope of work is transportation, architecture, wastewater systems, and stormwater design & management. Ms. Mitchell requested that United Consulting Engineers & Architect to be included on Howard County's Request for Proposals/Quotes contact list.

IN THE MATTER OF COMMUNITY CORRECTIONS

Howard County Adult Community Corrections Director Steve Maus presented a request to purchase one used vehicle. He stated that there is enough money appropriated in the 2005 budget to make the purchase. The following proposals were submitted:

		<u>Total Price</u>
Brad Howell Ford	2004 Crown Victoria LX Sedan	\$ 11,940.00 *
Kokomo Auto World	2004 Mercury Grand Marquis	\$ 12,000.00 *

(* Prices include discount, trade-in, and extended 5 year warranty)

Mr. Harbaugh made a motion to authorize the purchase of a 2004 Crown Victoria LX Sedan at a price of \$11,940.00 from Brad Howell Ford, in accordance with the small purchasing statute. Mr. Bagwell seconded the motion, and it carried.

IN THE MATTER OF DRAINAGE PROBLEM IN TAYLOR TOWNSHIP:

Jacquelyn Hood, 3491 East 300 South, requested the County's help with a drainage problem at the corner of 350 East and 300 South. The water comes from the south and drains into a manhole that is not working properly. The water backed up into Ms. Hood's septic tank and her toilet stopped working. Ms. Hood said the plumbing and water well had to be replaced resulting from e-coli contamination. She cited health concerns when traffic splashes the contaminated water onto her property.

Surveyor Beryl Grimme said the manhole is not a part of the regulated drain that is located nearby. Mr. Grimme reported that he traced the legal drain and found it to be in working order. He said the property owners are responsible to maintain their drains from the houses to the legal drain and the manhole is located on private property. Mr. Bagwell stated that the County does not own the drainage tile and does not have any authority to regulate the tile. Ms. Hood challenged that the manhole is located on her property.

There was discussion regarding potential causes and various solutions to the drainage problem. Mr. Grimme volunteered conduct further investigation onsite site at 9:00 am. on April 19th, 2005.

Ms. Michelle Arvin, Registered Environmental Health Specialist from the Howard County Health Department, was present to verify there was septic affluent standing over the manhole on the southwest corner of 350 East and 300 South.

Scheduled Public Hearing – 10:00 a.m.
ALLEY VACATION IN UNION TOWNSHIP
The public hearing was opened at 10:30 a.m.

Attorney David T. Baird, UAW-Chrysler Legal Services Plan, presented a petition to vacate alleys for Lots 13 through 16 in the Original Town of West Liberty in Union Township, on behalf of Emma Kay Kerr and Donald J. Weida, residing at 12554 East 340 South; and Timothy C. Sanborn and Rebecca L. Meer who reside at 3350 South 1250 East. The adjoining property owners were notified by certified mail and the request was legally advertised. Copies of letters from the utilities were submitted stating they did not have any objections to the vacation. All of the required documents were on file and here was no one in the audience with objections or comments.

Mr. Bagwell made a motion, seconded by Mr. Harbaugh and carried, to close the public hearing. Mr. Raver made a motion to approve Ordinance No. 2005-BCC-15, an Ordinance vacating alleys in the town of West Liberty. Mr. Harbaugh seconded the motion, and it carried.

Close public hearing – 10:40 a.m.

IN THE MATTER OF EMERGENCY MANAGEMENT AGENCY ISSUE:

Emergency Management Agency Director Larry Smith explained that the current 1962 Ford tanker truck has mechanical steering problems and the tank is developing leaks. The steering mechanism is outdated and repair parts cannot be found. Mr. Smith presented a proposal to purchase a used 1978 tanker truck from Ft. Myers, Florida at a cost of \$31,000.00. The delivery cost is included in the price of the truck.

There was discussion regarding the contract that Emergency Management Agency has with the City of Kokomo. The annual budgeting process is that the County pays for 45% and the City pays 55% of costs for the purchase of equipment. Attorney Murrell cautioned that the County should not make any purchases outside of the contract agreement with the City.

Mr. Bagwell made a motion make a request to the County Council for an additional appropriation of 45% of the cost of the tanker truck from Economic Development Income Tax Fund, contingent on the City's agreement to appropriate the remaining 55%, for a total price of \$31,000.00. Mr. Harbaugh seconded the motion, which carried.

IN THE MATTER OF CLAIMS AND REPORTS:

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

1. **The Howard County Treasurers Report for the month of March 2005** was accepted on a motion made by Mr. Bagwell, seconded by Mr. Harbaugh and carried.
2. **Commissioner's Salary Claims for hourly, salary, and overtime payable for April 22nd and April 29th, 2005 in the amount of \$291,420.90** were considered. Mr. Harbaugh made a motion to approve payment. Mr. Bagwell seconded the motion, and it carried.
3. **Operating claims payable on April 18th, 2005 in the amount of \$378,915.59** were approved on a motion made by Mr. Bagwell. Seconded by Mr. Harbaugh, the motion carried.

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

County Attorney Larry Murrell reported that he worked on bids for the roof repairs to the Administration Center and Howard Haven Residential Center, and the changes to the County Internet Policy. Attorney Murrell also worked on updating the leases with Key Bank, Kokomo Academy, and Property Systems.

IN THE MATTER OF COMMISSIONER ISSUES:

1. Mr. Bagwell reported that he might not be able to attend the meeting on May 5th, 2005.
2. The **Veteran Service Office Report for the month of March 2005** was accepted on a motion made by Mr. Bagwell. Mr. Harbaugh seconded the motion, and it carried.
4. A letter was received that the Department of Natural Resources would hold a meeting in Indianapolis on April 27, 2005 for Kokomo High school and Memorial Gymnasium to be considered by the Indiana Historic Preview Board for nominations for the National Register of Historic Places.

There being no further business, Mr. Harbaugh made a motion to adjourn. Mr. Bagwell seconded the motion, and it carried. The meeting closed at 11:15 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 18th, 2005