

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING JUNE 6, 2005

The Howard County Board of Commissioners met in Regular Session on Monday, June 6, 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 present for the first part of the meeting but it was necessary for him to leave early for a scheduled appointment.

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, May 16, 2005, were considered and approved as submitted on a motion made by Mr. Harbaugh, seconded by Mr. Bagwell and carried.

IN THE MATTER OF HIGHWAY ISSUES:

Mr. Raver presented bridge project updates on behalf of Mr. Ted Cain, Howard County Highway Engineer/Superintendent, who was unable to attend the meeting:

1. **Ohio Street Bridge:** Representatives from the Howard County Highway Department, Indiana Department of Highways, and Butler, Fairman & Seufert held a meeting on May 25, 2005 at the Ohio Street Bridge to discuss improvements to the bridge. Closure of the bridge will be announced at a future date.
2. **Webster Street Bridge:** Bridge No. 129 located on S. Webster Street will be closed to traffic today in order for the repair work to begin.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

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

1. **Jail Population:** Sheriff Talbert reported the current jail population at 278 inmates. This number includes 12 inmates that are on hold from Delaware County.
2. The Sheriff's Department was left with only one individual, Bob Johnson, last week when Art Cross fell ill. Sheriff Talbert commended Mr. Johnson for stepping up to the plate and taking care of maintenance and inmate workers.
3. **SWAT Truck Conversion Update:** Conversion of the SWAT Truck at Delphi Body Works, Inc. is progressing and they anticipate the vehicle to be completed by the end of June 2005. Although the design is primarily to accommodate the SWAT Team, Sheriff Talbert said the truck would have a variety of other uses such as a mobile command post.
4. **Security Telephone at Courthouse:** Sheriff Talbert suggested placing a telephone outside of the Security Office at the Courthouse, connected directly to the Dispatch Center. Sheriff Talbert felt the availability of the telephone would enhance security and help citizens who need assistance or information while in the Courthouse. The initial cost to install the telephone would be \$428.00 plus \$110.00 per month for the service. There was a concern that the Courthouse telephone system does not have any available room for another telephone line. Various options were discussed regarding adding another telephone line. The Commissioners did not take any action and recommended further study of the issue.
5. **Sheriff's Auction:** Preparations for the annual Sheriff's Auction are on schedule. The auction is scheduled for Saturday, June 18, 2005 at 10:00 a.m. The Sheriff advised that the transport van formerly used by Howard Haven and the unmarked 1996 Chrysler LHS with a blown engine will be

placed in the auction. The Commissioners recommended getting the titles to the vehicles ready before the auction, which the Sheriff has already completed.

Mr. Bagwell made a motion to authorize the President to sign a contract with Cartwright Ellis on behalf of the Board for auction service for the Sheriff's Sale pending the County Attorney's review and approval. Mr. Harbaugh seconded the motion, and it carried.

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. **Ordinance No. 2005-BCC-24** - A change in zone classification from R-1 (Residential) to B-2 (General Business) for property located at 1717 N. Faith Road was considered. Mr. Bagwell made a motion to approve Ordinance No. 2005-BCC-24. Seconded by Mr. Harbaugh, the motion carried.
2. **Ordinance No. 2005-BCC-25** - A change in zone classification from A-1 (Agricultural) to R-1 (Residential) for property located at 490 North 600 West. Ordinance No. 2005-BCC-25 was approved on a motion made by Mr. Harbaugh, seconded by Mr. Bagwell and carried.
3. **Ordinance No. 2005-BCC-26** - A change in zone classification from R-1 (Residential) to A-1 (Agricultural) for property located at 3437 W. Sycamore was considered. Mr. Bagwell made a motion to grant approval to Ordinance No. 2005-BCC-26. Mr. Harbaugh seconded the motion, and it carried.
4. **Unsafe Buildings:** The unsafe buildings continue to be monitored; however, Mr. Boise did not have any new information to report.
5. **Multi-Hazard Mitigation Plan:** Mr. Boise reported that the Steering Committee and the Consultant held a second meeting and the process was moving along very well.

IN THE MATTER OF OPENING OF QUOTES FOR DEMOLITION PROJECT - 9:00 A.M.

(See page 2, May 16th, 2004 minutes, "In the Matter of Plan Commission Issues", for related discussion)

Mr. Boise sent out three (3) requests for quotes for the demolition of buildings located at 3258 West 250 South, Kokomo, Indiana. The following quotes were submitted by the deadline on Friday, June 3rd, 2005:

Bowyer Excavating	Chose not to quote	N/A
Wayde Ames & Son Demolition	Peru	\$10,500.00
Stephens Bulldozing Inc.	Russiaville	\$ 7,400.00

Mr. Harbaugh made a motion to take the quotes under advisement for the County Attorney's review until the next meeting scheduled for June 20, 2005. Seconded by Mr. Bagwell, the motion carried.

IN THE MATTER OF MAINTENANCE DEPARTMENT ISSUES:

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

1. **Howard Haven:** Nolan and Company Excavating submitted a price quote in the amount of \$2,000.00 to clean up the debris following the connection of Howard Haven Residential Center to the City sanitary sewer system. The price included filling in the holes and the pump area, but did not include removal of the outbuilding or clean up of the lagoon. Mr. Harrison said he would contact Mr. Nolan regarding clarification of the quote.
3. **Roof Repair Work:** *(See page 2, May 16th, 2005 minutes, "In the Matter of the Opening of Bids" for related discussion)* The bids received on May 16th, 2005 for the Administration Center and Howard Haven Roofing projects will be considered at the next Commissioners' meeting on June 20,

2005. Mr. Harrison stated that the maintenance crew would begin working on removing trash and debris from the roof of the Administration Center.

4. **Generator Power Estimates:** McAllister Diesel is scheduled to arrive on Wednesday, June 8th, 2005 at 1:00 p.m. to provide estimates on separate generators to power the Administration Center, Government Center, Courthouse, Highway Garage, Emergency Management building, and Howard Haven Residential Center.

IN THE MATTER OF PERSONNEL ADMINISTRATOR ISSUES:

Personnel Director Wanda McKillip was absent from the meeting. Mr. Raver advised that Mr. Donald Bowling's term on the Howard Regional Hospital Board of Trustees expires on June 30, 2005. Mr. Raver said he would contact Mr. Bowling to find out if he was interested in serving another term.

IN THE MATTER OF INFORMATION SYSTEMS DIRECTOR ISSUES:

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

1. **Storm Damage Report:** Mr. Tribby reported there were no power outages during the severe storm that happened approximately 4:30 p.m. on Sunday, June 5th, 2005. He was pleased with the stability of the communication towers that sustained straight line winds up to 70 mph. The Dispatch Center stayed up and running throughout the storm. This morning the I.S. Department performed a damage assessment and made sure that all of the servers were functioning properly.
2. **Project Updates:**
 - a. **Voter Registration:** Voter Registration Office is working on a project to provide on-line voter registration application, which has been mandated by the State.
 - b. The **Child Support Office** is in the process of changing their method of reporting as mandated by the State.
 - c. **Adult Probation:** The application for the Adult Probation imaging project was installed last week. Their records are now on a server that enables different departments in the Courthouse to view electronic images and print documents instead of manually searching for them.
 - d. **Jury Selection Process:** In 2002, when Howard County received a State mandate to change the method of jury selection, Information Systems was unable to find a vendor that offered a software application for the process. Information Systems served as the temporary Jury Administrator, overseeing the new process. However, the Access Data Base program requires a considerable amount of maintenance.

Computer Systems Incorporated ("CSI"), a vendor currently working with court records, has created a jury selection module as an add-on to their software. The software application is being used in seventeen counties in the State of Indiana. The initial cost for the module would be \$2,500.00 plus training and implementation. Mr. Tribby will investigate the costs, implementation, and stability of the product, and provide further information for the Commissioners' review.

3. **Computer Virus:** The virus problem encountered two weeks ago has been completely cleaned up. Information Systems had access to special software at no cost to the County, which identified problem areas within specific departments and eliminated the problems. The current virus protection program has developed an upgrade for further protection.
4. **Wireless Project:** Phase I has been completed and the following locations are connected: Criminal

Justice Center, Administration Center, Courthouse, Kokomo Police Department/City Building, and Kokomo Fire Station No. 1.

5. **Change Part-Time to a Full-Time Position:** *(See page 5, January 18th, 2005 minutes, “In the Matter of Personnel Administrator Issues”, Item 3 (d.) for related discussion)* Mr. Tribby requested the Commissioners to revisit the issue of changing a part-time position to a full-time position. In January 2005, Mr. Tribby voiced concerns about having enough staff available to complete the projects outlined for the year and requested approval to change a part-time position to a full-time position. The County Council was not receptive to funding a full-time employee at that time and suggested reviewing the request again in six months. The request will be reviewed again by the PAC prior to reconsideration by the Commissioners.

Scheduled Public Hearing – 9:30 a.m.
EASEMENT VACATION IN HARRISON TOWNSHIP
The public hearing opened at 9:30 a.m.

Attorney David T. Baird, UAW-Chrysler Legal Services Plan, presented a petition to vacate an easement on behalf of property owners Larry D. and Kelly L. Hullum. The easement is described as a strip of land 16 feet in width for part of Lots 106 and 107 in the Moors of Chippendale Subdivision, Section 3, in Harrison Township. The purpose of the vacation is for the petitioners to build a new home and install a septic system on the two combined lots.

The adjoining property owners were notified by certified mail and the petition was legally advertised. The Post Office made three attempts to serve two of the certified notices. The letters were returned unclaimed because the addressees refused to accept certified mail. The petitioners have reasonable proof that notice was attempted by certified mail. Copies of letters from the utilities were obtained stating there were no objections to vacating the easement. All of the required documents were on file and there was no one in the audience with comments or objections.

Mr. Bagwell made a motion to approve Ordinance No. 2005-BCC-28, vacating an easement on part of Lots 106 and 107 in the Moors of Chippendale Subdivision, Section 3, in Harrison Township. Mr. Harbaugh seconded the motion, and it carried.

Public Hearing Closed – 9:40 a.m.

IN THE MATTER OF DRAINAGE PROBLEM IN TAYLOR TOWNSHIP:

(See page 7, April 18th, 2005 minutes, “In the Matter of Drainage Problem in Taylor Township” for related discussion)

In April 2005, Jacquelyn Hood, 3491 East 300 South, requested the County’s help with a drainage problem at the corner of 350 East and 300 South in the Town of Center. County Surveyor Beryl Grimme conducted an investigation and discovered that the county regulated tile was not causing the problem. A blockage was found in a sanitary sewer tile located along the east side of 350 East at 300 South. Once the line was uncovered and repaired, Mrs. Hood’s drainage and plumbing started working properly. Mr. Grimme said the Taylor Township Regional Sewer District is responsible to pay for the work to uncover and repair the tile.

It was necessary for Mr. Harbaugh to leave the meeting at 9:45 a.m. for an appointment. 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 THE KOKOMO-HOWARD COUNTY GOVERNMENTAL COORDINATING COUNCIL:

Director Larry Ives presented the following issues for Commissioner information and approval:

1. **Traffic Count Reimbursement:** The PL Supplement to the Agreement Between Kokomo and

Howard County Governmental Coordinating Council and Howard County for the use of metropolitan planning funds (PL Funds) in the amount of \$2,300.00 in State Fiscal Year 2005 was approved on a motion made by Mr. Bagwell. Mr. Raver seconded the motion, which carried.

2. **Renewal of Existing Lease of Real Estate.** Mr. Bagwell made a motion to renew the Kokomo-Howard County Coordinating Council office space in the Howard County Government Center for Fiscal Year July 1, 2005 to June 30, 2006 for four quarterly payments in the amount of \$2,550.00 each for a total annual amount of \$10,200.00, and authorize the President to sign on behalf of the Board. The motion was seconded by Mr. Raver and carried.

IN THE MATTER OF PETITION TO VACATE PUBLIC WAY IN TAYLOR TOWNSHIP:

Attorney Dan May submitted a petition on behalf of Mr. Ned V. Davy, to vacate a portion of a public way contiguous to Lot 13 in Southwood Subdivision, in Taylor Township. Mr. Davy explained that acquisition of the additional land would make it possible to build a garage. An existing School Bus Turnaround would be excluded and not be affected by the vacation.

The Commissioners had a jurisdictional concern regarding the legal description on the deed. Although the property is located in the county, the description reads that it is a subdivision in the City of Kokomo. The County Attorney recommended that the Commissioners make a finding that, based on the advice of the Plan Commission Director, even though the description reads the City of Kokomo; the property is, in fact, located in the County jurisdiction.

A motion was made by Mr. Bagwell to accept the petition and set the date for the public hearing on **July 18th, 2005 at 9:00 a.m. in Hearing Room No. 338 of the Howard County Administration Center.** Mr. Raver seconded the motion, which carried.

IN THE MATTER OF HOWARD HAVEN RESIDENTIAL CENTER ISSUES:

Howard Haven Director Tom Tolen presented the following issues for Commissioner information and approval:

1. Mr. Tolen expressed appreciation to the Sheriff's Department and County Maintenance Department for the use of the truck that was used to transport food to a storage warehouse.
2. Proposed new Admission Forms were distributed to the Commissioners and County Attorney for perusal. Mr. Tolen advised that a copy of the proposed forms was also provided to Center Township Trustee Jean Lushin. There was a brief discussion whether the Rules of Conduct should address automobile ownership. The Commissioners decided to discuss this issue further at the next meeting.
3. **Application for Admission:** Mr. Bagwell made a motion to accept an application from Daniel Eugene Crousore for admission to Howard Haven for a ninety-day probationary period. Seconded by Mr. Raver, the motion carried.
4. Mr. Tolen submitted accounting reports to the Auditor regarding contributions and donations of gift certificates.
5. A revised contract with David Lawson, R.N. to provide nursing services to Howard Haven will be presented at the next Commissioners' meeting on June 20th, 2005.

IN THE MATTER OF GRANT ACTIVITY:

Grant Administrator Tina Henderson presented the following updates regarding grant activity:

1. **Migrant Housing Grant:** The environmental review letter from the State Historic Preservation Office is anticipated soon. Ms. Henderson commented the review letter is the only factor that would be able to delay compliance with the June 20th, 2005 deadline. Once funded, this program requires all construction activity to take place during the off-season for migrant work. If the June 20th deadline cannot be met, the next round would occur in October 2005. The Commissioners agreed to facilitate

the grant but will not commit any upfront funding to the project.

Mr. Bagwell made a motion that the Commissioners would assume the role as the lead applicant and administrator for the grant from the Indiana Housing Finance Authority for the Migrant Farm Housing Project and authorize the President to sign on behalf of the Board. Mr. Raver seconded the motion, and it carried.

2. **Taylor Township Owner Occupied Rehabilitation Project:** Ms. Henderson explained this project is to assist qualified residents to connect to the new Taylor Township Regional sewer system. Ms. Henderson gave a brief account of the requirements that the residents must meet in order to apply for the funds. Typically only about twelve to fifteen residents would qualify. Ms. Henderson subcontracted with Jessica Redmon, the former Tippecanoe Grant Administrator, to manage the application and qualifying process. The deadline to estimate the number of homes and amount of funds requested is June 20, 2005. A local match is not required from Howard County if the project is limited to 60% of low to moderate income residents. The cost to the County will include the Application fee of \$1,000.00 and the Environmental Review fee of \$2,000.00. The cost of the environmental review is anticipated to be reimbursed to the County by December 31st, 2005.

Ms. Henderson mentioned a separate Federal program (504 B Grant) to help other residents connect their house to the sewer main. It is an individual application that the residents make directly to World Development. Mr. Raver commended this program is not required to be administered by the Commissioners.

Mr. Bagwell made a motion that the Commissioners will assume the role as the lead applicant for the Taylor Township Owner Occupied Rehabilitation Project Grant subject to the County Council appropriating \$1,000.00 for the application fee; \$2,000.00 for the environmental review which is reimbursable; for a total amount of \$3,000.00; and make an exception of the County's policy regarding providing up-front funding because it involves multiple residents of Howard County.

The details of both grants will be presented at a public hearing on June 14th, 2005 at 6:30 p.m. at the Taylor Township Volunteer Fire Department.

IN THE MATTER OF CLAIMS AND REPORTS:

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

1. **Commissioners' Salary Claims:** Salary, Hourly and Overtime claims, to be paid on June 3, 10, 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 June 6, 2005, in the amount of \$1,429,682.12 were submitted and approved on a motion made by Mr. Bagwell, seconded by Mr. Raver and carried.
3. The Howard County Treasurers Report for the month of April 2005 was accepted on a motion made by Mr. Bagwell, seconded by Mr. Raver and carried.

IN THE MATTER OF TOWNSHIP ASSISTANCE APPEALS:

Auditor Ann Wells advised that the State Legislature has revised the name "Poor Relief Appeals" to "Township Assistance Appeals" beginning on July 1, 2005.

1. **CENTER TOWNSHIP:** A Township Assistance Appeal Hearing was conducted on June 3, 2005 for Center Township on behalf of **Sonya D. Banks**. Commissioner Raver, Acting Township Assistance Relief Hearing Officer, made a recommendation to uphold the written denial for assistance made by the Center Township Trustee on May 16, 2005.

Mr. Bagwell 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 Township Assistance applicable to the case. Mr. Raver seconded the motion, and it carried.

2. **HONEY CREEK TOWNSHIP:** A Township Assistance Appeal Hearing was conducted on June 1, 2005 for Honey Creek Township on behalf of **Christina Maria Nix**. Commissioner Raver, Acting Township Assistance Relief Hearing Officer, made a recommendation to uphold the written denial for assistance made by the Honey Creek Township Trustee on May 16, 2005.

Mr. Bagwell made a motion to uphold the denial of the Honey Creek Township Trustee based upon the finding that the Township Trustee followed the Eligibility Standards and Guidelines for Township Assistance applicable to the case. Mr. Raver seconded the motion, and it carried.

3. **HARRISON TOWNSHIP:** A Township Assistance Appeal Hearing was conducted on June 3, 2005 for Harrison Township on behalf of **Michelle K. Stanley**. Although the Township Trustee denied the request on May 16, 2005, he agreed to review the request again. Commissioner Raver, Acting Township Assistance Relief Hearing Officer, made a recommendation to remand the request for assistance back to the Trustee's Office. The Commissioners, by consensus, remanded the request back to the Harrison Township Trustee's Office.

MISCELLANEOUS ISSUE:

Kokomo Tribune Reporter Kate Lewis and WZWZ/WIOU Radio News Reporter Amber Sterns were acknowledged. Also Kokomo Perspective Reporter Paul Allor introduced new reporter Lisa Fipps to the Board.

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

1. **The Indiana Statewide Mutual Aid Agreement for District #6:** (*See page 4, May 16th, 2005 minutes, "In the Matter of Department of Health Issues" for related discussion*) Attorney Murrell presented the corrected signature page of the agreement which was duly signed by the President of the Board.
2. Attorney presented a schedule of pending ordinances for Howard County.
3. Attorney Murrell will not be in office on Friday, June 10th, 2005.

IN THE MATTER OF AUDITOR'S ISSUES:

Auditor Ann Wells gave a brief report on the Auditor's Conference that she attend with Chief Deputy Laurie Roper and First Deputy Cindy May, on May 25 through 27, 2005. Ms. Melissa Henson, the new Commissioner of the Department of Local Government and Finance, introduced all of her new appointees. In addition, Ms. Henson complimented the ability and efficiency of Howard County's Auditor, Treasurer, and Assessor's in working together and get things done. Ms. Henson expressed that Howard County has set a good example for other counties to follow regarding the joint cooperation and productivity between the county offices.

IN THE MATTER OF COMMISSIONER'S ISSUES:

1. Mr. Bagwell commended the Sheriff's Department on the following issues:
 - a. The inspections that occurred last week at the Sheriff's Department went well.
 - b. There were two incidents of high speed chases. The Sheriff's Department did an excellent job of catching the suspect, while keeping the public safe.
2. Mr. Bagwell had an opportunity to meet with an engineering firm that specializes in jail design. There was discussion about upgrading the control panels with touch screens and the possibility of modifying

the pod with special mirrors. Mr. Bagwell said he would look further into the concept phase of the modifications.

3. Sheriff Talbert appreciated the County Highway Department's patch-work on the parking lot at the jail.
4. **Dues and Subscriptions:** The Commissioners requested that Elected Officials and Department Heads report any dues and subscriptions paid by County funds.
5. A letter was acknowledged from Treasurer Martha Lake thanking the Commissioners for their assistance this spring regarding the new computers and state of the art security system.
6. The Commissioners thanked Treasurer Martha Lake for attending the Bio-Hazard meeting held at the Post Office.
7. The **Weights and Measures Monthly Report for April 15th, 2004 to May 15th, 2005** was accepted on a motion made by Mr. Bagwell. Seconded by Mr. Raver, the motion carried.
8. The **Veteran Service Office Report for the month of June 2005** was accepted on a motion made by Mr. Bagwell. Mr. Raver seconded the motion, and it carried.

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 10:55 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, June 6, 2005