

## **HOWARD COUNTY BOARD OF COMMISSIONERS MEETING AUGUST 21, 2006**

The Howard County Board of Commissioners met in Regular Session on Monday, August 7, 2006, 8:30 a.m. in Hearing Room No. 338 of the Howard County Administration Center. Those in attendance included Board of Commissioner President Bradley J. Bagwell, Vice President Paul J. Raver and Member John B. Harbaugh. Also in attendance were County Attorney Larry Murrell and Auditor Ann Wells.

The meeting was called to order by Major Steve Rogers and conducted by President Bagwell.

### **IN THE MATTER OF APPROVAL OF MINUTES:**

The minutes of the Regular Meeting dated August 7, 2006 and the Special Meeting dated August 14, 2006, having been previously submitted and reviewed were approved on a motion made by Mr. Raver and seconded by Mr. Harbaugh.

### **IN THE MATTER OF THE OPENING OF BIDS FOR THE ADMINISTRATION CENTER HVAC PROJECT:**

The Board of Commissioners previously declared the Administration Center HVAC System Project an emergency situation and asked Benchmark Mechanical and Quality Plumbing and Heating to re-submit their bids from the original specifications (*please refer to page three, item four of the Regular Meeting minutes dated August 7, 2006*). The new bids were opened at 8:30 a.m. and noted as follows:

Benchmark Mechanical	\$235,837.00
Quality Plumbing & Heating	\$255,000.00

On a motion made by Mr. Raver and seconded by Mr. Harbaugh, the quotes were taken under advisement and referred to Superintendent Art Fross and Attorney Larry Murrell for their immediate review.

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

Highway Supervisor / Engineer Ted Cain submitted the following issues for County information and approval:

1. **Current Projects:** Mr. Cain informed the Board that the Highway Department is currently working on repaving and chip and seal projects.
2. **Equipment Needs:** The Highway Department is in need of the following pieces of equipment:
  - One single axle pick-up truck for plowing
  - One small roller for patching
  - One Grader

Mr. Cain will be making formal requests in future meetings.

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

Major Steve Rogers presented the following issues for Commissioner information and approval:

1. **Homeland Security Grant:** Sheriff Talbert is in receipt of information regarding a grant from the Department of Homeland Security. This reimbursable grant would be available in the amount of \$50,000.00 to help enhance Courtroom security. All equipment would need to be purchased by October 31, 2006. Sheriff Talbert would like any action taken to be a coordinated effort between the Sheriff's Department and the five courts. Commissioner Raver informed Major Rogers that Judge Murray is on the Agenda to present this information to the Council at the August 22<sup>nd</sup> meeting.
2. **Current Jail Population:** The current jail population is 336 inmates. This amount includes forty four females.
3. **Computerized Gas System:** Major Rogers and Deputy Jerry Asher informed the Board of the need to replace the current software for the gas system. The system has experienced occasional shut down

problems and inaccurate information. This computer software tracks usage of fuel of the Sheriff's Department and five other agencies, for rebilling purposes. Replacement cost is about \$7,500.00. The Sheriff's Department will also talk to Mr. Tribby regarding window based software for this system.

4. **Operation Pullover:** Deputy Jerry Asher presented the 2006-2007 grant renewal paperwork for the Operation Pull Over Grant. The grant renewal application was due no later than August 15, 2006 and Commissioner Raver was asked to sign the grant on behalf of the Board of Commissioners. A motion was made by Mr. Harbaugh, seconded by Mr. Raver and carried to ratify Commissioner Raver's signature.

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

Plan Commission Director Glen Boise informed the Board of Commissioners of the status of two properties. The demolition of property located at 3904 South 350 West (Meyers Property) is underway. The property located at 4089 South 50 East (Ables Property) has been vacated and Mr. Boise hopes to submit the property for demolition, this fall.

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

Buildings and Grounds Supervisor Art Fross presented the following issues for Board information and approval:

1. **SBC Quote:** Mr. Fross submitted and recommended the proposal from SBC for the Courthouse Phone System Upgrade. The amount of the proposal is \$14,286.74 which includes the required Voice Mailbox System. A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to approve the phone system upgrade and to request an Additional Appropriation from the Cumulative Capital Fund in the amount of \$15,000.00.
2. **Checks Submitted to the Auditor's Office:** Mr. Fross submitted a concessions check from Coca Cola and eight checks from various local businesses. These funds were for the purchase of the Specifications Books required for businesses who bid for the Administration Center HVAC Project. Ms. Wells received them on behalf of the Auditor's Office.
3. **Review of Administration Center HVAC Project Bids:** Earlier in the meeting, bids were opened for the Administration Center HVAC Project and reviewed by Mr. Fross and Mr. Murrell (*please refer to page one, "In The Matter Of The Opening Of The Bids For The Administration Center HVAC Project"*). Upon their recommendation, a motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to accept the bid from Benchmark Mechanical, in the amount of \$235,837.00, as the lowest responsible and responsive bid, and authorize the President to sign the contract with Benchmark on behalf of the Board of Commissioners.

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

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

1. **Unemployment Meeting:** About 27 Department Heads and employees attended the Unemployment Meeting held July 26, 2006. The meeting lasted three hours and much usable information was distributed.
2. **Retirement Fund for Deferred Comp:** The State of Indiana is holding informational meetings concerning the 457 Retirement Fund, Deferred Compensation. A meeting will be held at the Public Library, Thursday, August 24<sup>th</sup>. Information about the meeting has been distributed to all departments.
3. **FMLA Log Confirmation:** Because of privacy laws, the FMLA Log is available for Board confirmation in the Personnel Office. The Commissioners will review the log and confirm it at the next meeting.
4. **Summer Interns:** The two interns that worked in the Personnel Office have completed their projects and will be going back to school. Ms. McKillip has interviewed another intern who might be able to work in the autumn months. One of the summer interns has been employed four hours a week for the remainder of the year to work on employee job descriptions.

5. **Internal Audit:** The Personnel Office has completed an internal audit of the 2005 Employee Service Records. Some errors and inconsistencies were found and Ms. McKillip will be working with Department Heads to correct those errors.
6. **Insurance Claims:** The Insurance claims have been stable to date. If this continues it is hopeful that rates will not need to be raised for the 2007 calendar year. More information will be available in October.

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

Information Systems Director Terry Tribby informed the Board of Commissioners that he has had many requests from Office Holders and Department Heads to hold training sessions for Microsoft Office and other software programs. Learning these programs will be helpful in maintaining records for budget purposes for each of the offices, as well as other tasks. Mr. Tribby has already conducted a survey and received overwhelmingly positive responses. His office will do an evaluation of how to set up the training sessions and what is the greatest need. He hopes to bring a recommendation to the Board, soon.

#### **IN THE MATTER OF THE MAYOR'S COMMUNITY BASED COUNCIL ON SUBSTANCE ABUSE:**

Mr. Don Ridenour, of the Local Coordinating Council, submitted the proposed 2007 budget for the Mayor's Community Based Council on Substance Abuse. He explained the budget items and expenses and answered questions posed by the Commissioners. He reminded the Board that the Council on Substance Abuse is funded solely by fines levied by the judges. The Local Coordinating Council is responsible for creating the budget and overseeing budget expenses. The Indiana Criminal Justice Institute and the Governor's Council have the authority to set limits on how the money is spent. New to this year is the limit that only 20% of the budget can be used to fund the coordinator and office discretionary funds. This means that they will need to make the Coordinator position a part time or contractual position. After further discussion, a motion was made by Mr. Raver to approve the allocation of funds for Budget year 2007, as recommended by the Local Coordinating Council, and forward the proposed budget to the County Council for its appropriation. The motion was seconded by Mr. Harbaugh and carried.

#### **IN THE MATTER OF DEPARTMENT OF HEALTH ISSUES:**

Department of Health Director Kris Conyers submitted a renewal of an agreement for Contract Services with Mr. Ryan Nehl as a Public Health Coordinator. This contract is for twelve months from August 31, 2006 to August 30, 2007, in the amount of \$55,800.00, and is funded by a reimbursable grant. A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to approve the renewal of an agreement for Contract Services with Mr. Ryan Nehl, subject to Council appropriation, and authorize the President to sign on behalf of the Board of Commissioners when the funds are available.

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

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

1. **Commissioners' Salary Claims:** The Commissioners' Salary Claims payable August 25<sup>th</sup> and September 1<sup>st</sup>, 2006, in the amount of \$296,420.05, was approved on a motion made by Mr. Harbaugh and seconded by Mr. Raver.
2. **County Operating Claims:** The Operating Claims payable August 21, 2006, in the amount of \$283,553.06 were approved on a motion made by Mr. Raver and seconded by Mr. Harbaugh.
3. **Treasurer's Monthly Report:** The Treasurer's Monthly Report for the month ending July 31, 2006 was accepted on a motion made by Mr. Harbaugh and seconded by Mr. Raver.

*The Regular Commissioner meeting was recessed at 9:40 a.m.  
to hold a previously scheduled Public Hearing  
concerning a Vacation of Easement.*

Attorney David Cox submitted a request to Vacate an Easement on behalf of Donald J. Jr. and Leslie Bolinger II on property located on lot #324, section 5 in Terrace Meadows Subdivision. All the utility companies have been notified and

there are no utilities located in the easement. There is gas **service** connection in the easement that can be moved at the owner's expense. Commissioner Bagwell opened the floor for Public Comment. There being no public comment, the Public Hearing was closed on a motion made by Mr. Harbaugh and seconded by Mr. Raver.

***The Regular Commissioner Meeting was reconvened.***

The Commissioners discussed the natural gas service located in the easement. It is not known whether this service is for lot #324 only or if it is for lots #324 and #325. At the conclusion of their discussion, a motion was made by Mr. Raver to approve the Vacation of Easement as Ordinance No. 2006-BCC-34 with the inclusion of language as follows:

"Subject to Petitioner paying the expense of any relocation of the natural gas service to lots #324 and #325, as needed".

The motion was seconded by Mr. Harbaugh and carried.

**IN THE MATTER OF THE COMMUNITY CORRECTIONS ANNUAL REPORT:**

Community Corrections Director Steve Maus submitted the Annual Report for Commissioners' review. This report is for fiscal year July 1, 2006 through June 30, 2006, and was accepted on a motion made by Mr. Raver and seconded by Mr. Harbaugh.

**IN THE MATTER OF COUNTY ATTORNEY ISSUES:**

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

1. **Howard Regional Tolling Agreement:** The Second Tolling Agreement with Howard Regional Hospital, extending the appeal expiration date, was approved at the August 7<sup>th</sup> meeting (*please refer to page five, item three of the Regular Meeting minutes dated August 7, 2006*). The signature page needed to be amended and Mr. Murrell submits that amended copy for Commissioners' signature.
2. **Invoice For Payment:** Mr. Murrell submitted an invoice for services rendered from Crowe Chizek and Company LLC, in the amount of \$5,876.80. This is for professional services rendered "in connection with the creation of the Rainy Day Loan program for taxing units in Howard County" affected by the Delphi bankruptcy. The invoice in the amount of \$5,876.80 was approved for payment on a motion made by Mr. Raver and seconded by Mr. Harbaugh.
3. **E911 Dispatch Tower Lease:** Pinnacle Towers Acquisition LLC holds the lease for the towers located at the Duke (Cinergy) Building that transmit and receive E911 information. The lease will be up for renewal December 31, 2006 and the Board of Commissioners would like to terminate the lease because of a need to relocate the antennas due to storm interference. Mr. Murrell has advised the Board that a Notice of Termination must be sent to Pinnacle no later than 120 days before the lease expires. Discussion ensued concerning the need for a possible extension beyond the expiration date. Also discussed were the costs of moving the antennas and the need for an Additional Appropriation request to present to the Council. A motion was made by Mr. Raver to confirm the request of \$80,000.00 from Cumulative Capital or EDIT Funds and forward the request to the Council. The motion was seconded by Mr. Harbaugh and carried. A motion was then made by Mr. Harbaugh, seconded by Mr. Raver and carried for Mr. Murrell to proceed with the Notice of Termination, requesting additional leasing time on a month-by-month basis after December 31, 2006, as needed. The County would be willing to pay the present rate with a 5% increase which is the current contract stipulation.
4. **Ordinance No. 2006-BCC-35:** An ordinance of the Howard County Board of Commissioners regulating peddlers and solicitors in Howard County was presented to the Commissioners by Mr. Murrell (*please refer to page five, item five, of the Regular Meeting minutes dated August 7, 2006*). Discussion ensued and citizen Nicky Farmer was invited to address the Board of Commissioners. Mr. Farmer had several questions including what motivated the need for the Ordinance. At the conclusion of the discussion a motion was made by Mr. Raver to approve Ordinance No. 2006-BCC-35 as submitted. The motion was seconded by Mr. Harbaugh and carried.

**IN THE MATTER OF COMMISSIONER ISSUES:**

The Weights and Measures Report for the month of July 15 to August 15, 2006 was submitted and accepted on a motion made by Mr. Raver and seconded by Mr. Harbaugh.

There being no further business to come before the Board at this time, the Commissioner meeting was adjourned at 10:32 a.m. on a motion made by Mr. Harbaugh and seconded by Mr. Raver.

**HOWARD COUNTY BOARD OF COMMISSIONERS:**

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BRADLEY J. BAGWELL, PRESIDENT

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PAUL J. RAVEN, VICE PRESIDENT

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JOHN B. HARBAUGH, MEMBER

ATTEST:

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ANN WELLS, AUDITOR

Commissioner Meeting Minutes August 21, 2006