

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING OCTOBER 16, 2006

The Howard County Board of Commissioners met in Regular Session on Monday, October 16, 2006, 8:30 a.m. in Hearing Room 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 Sheriff Marshall Talbert and conducted by President Bagwell.

IN THE MATTER OF THE APPROVAL OF MINUTES:

The minutes of the October 2, 2006 Regular Meeting, having been previously submitted and reviewed, were approved on a motion made by Mr. Raver and seconded by Mr. Harbaugh.

IN THE MATTER OF HIGHWAY DEPARTMENT ISSUES:

Highway Supervisor / Engineer Ted Cain presented the following issues for Board information and approval:

1. **Final Inspection And Recommendation For Acceptance, Dixon Road Project:** Mr. Cain presented a letter from Indiana Department of Transportation, a Report of Contract Final Inspection and Recommendation For Acceptance for the Dixon Road Project from Greentree to County Road 250 South. A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to approve the Final Inspection Report and to recommend acceptance.
2. **Annual Highway Materials Bids:** Mr. Cain has prepared the Annual Materials Bid packages as well as a letter for Commissioners' approval and signature. The bids are due at 8:00 a.m. on Monday, November 20, 2006 to be opened at 8:30 a.m. on the 20th. A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to approve the Notice to Bidders and the due date of 8:00 a.m. on Monday, November 20, 2006, to be opened at 8:30 a.m.
3. **New Purchase of a 2007 ¾ Ton Pick-Up Truck:** Mr. Cain obtained quotes for a 2007 ¾ ton four wheel drive Pick-up Truck from the following vendors:

Brad Howell Ford	\$24,843.16	\$23,993.16 after Trade-In
Kokomo Auto World	\$24,806.00	\$24,706.00 after Trade-In

Mr. Cain recommends the purchase from Brad Howell Ford. A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to approve the purchase of the 2007 ¾ ton Pick-up Truck from Brad Howell Ford, in the amount of \$23,993.16, as a "small purchase" under \$25,000.00

4. **Beam, Longest and Neff, LLC:** State Representative Mike Ripley introduced himself and the Engineering Company he represents, to the Board of Commissioners and Ted Cain. BLN offers engineering services, especially concerning Highway issues including bridge inspections and Right-Of-Way Services.
5. **Paving Project:** The Highway Department has begun its paving project and plans to be finished before the snow arrives.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

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

1. **Quotes for New Vehicles:** Per standard practice, Sheriff Talbert has asked for quotes from Bloomington Ford, Brad Howell Ford and Kokomo Auto World for two new vehicles. Those quotes are to be in by October 29, 2006 and will be brought to the Board on November 6, 2006.
2. **Sheriff's Auction:** The Sheriff's Auction, on Saturday, October 14th, went well and many items were sold. Sheriff Talbert expressed appreciation to the Sheriff's Work Crew for their help in setting up, and to

Cartwright Ellis for his work, as well as all the advertising for the event. Sheriff Talbert would like to purchase signs for the next auction.

3. **Former S.W.A.T. Vehicle:** At the October 2nd meeting, Sheriff Talbert reported that the Putnam County Sheriff's Department was interested in obtaining the old ambulance that was used as a S.W.A.T. vehicle. Putnam County has now picked up the ambulance; they are in the process of setting up a S.W.A.T. team and are thrilled with the vehicle.
4. **Underground Storage Tank:** Sheriff Talbert has been contacted by IDEM concerning a compliance issue with the underground storage tank located at the Criminal Justice Center. He will be meeting with IDEM and Mr. Fross.
5. **Drug Task Force Vehicle Lease:** Attorney Larry Murrell informed Sheriff Talbert and the Board that he has received the amended copy of the lease for the Drug Task Force Vehicle including the requested changes (*please refer to page one, item three of the Regular Meeting minutes dated September 5, 2006*). President Bagwell signed the paperwork associated with the lease and Mr. Murrell asks that the Board confirm his signature. The lease was approved as amended and President Bagwell's signature was confirmed on a motion made by Mr. Raver and seconded by Mr. Harbaugh.

IN THE MATTER OF PLAN COMMISSION ISSUES:

Plan Commission Director Glen Boise did not have any properties to submit for Board approval at this time. He did report that he has submitted a draft bid document to Mr. Murrell concerning the demolition of the Flood Mitigation property located at 4089 South 50 East.

At this time the Regular Meeting was recessed to hold a previously scheduled Public Hearing concerning the vacation of a Dedicated Right-Of-Way.

Mr. Dan Minor, on behalf of Nelson G. and Evelyn R. Raney, presented paperwork and an Ordinance to vacate a Dedicated Right-Of-Way located on part of lot one in Honnigford Subdivision, Honey Creek Township. Mr. Minor submitted publication paperwork, as well as return receipts on certified mail from six of the seven adjacent landowners, and responses from several utility companies. Mr. Minor has not received responses from one landowner, A T & T, and Kokomo Gas and Fuel Company. At the conclusion of ensuing discussion, the floor was opened for Public Comment. There being no response at this time, the Public Hearing was closed on a motion made by Mr. Raver and seconded by Mr. Harbaugh.

A motion was made by Mr. Harbaugh, seconded by Mr. Raver and carried to take this vacation request under advisement and to continue the Public Hearing until such a time as response has been received by the land owner, A T & T, and Kokomo Gas & Fuel.

The Regular Commissioner Meeting is now reconvened.

IN THE MATTER OF MAINTENANCE DEPARTMENT ISSUES:

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

1. **Howard Haven Roof:** The center section roof repair at Howard Haven is almost complete (*please refer to page three, item two, "In The Matter Of Maintenance Issues"; of the Regular Meeting minutes dated October 2, 2006*).
2. **Additional Phone Lines At The Courthouse:** Mr. Fross is still awaiting word from A T & T (*please refer to page two, item five of the Regular Meeting Minutes dated September 5, 2006*).
3. **Siemens Service Agreement:** Mr. Fross has submitted a copy of a Service Agreement for repair service hours for the Administration Center, Government Center, Kinsey Youth Center, County Highway, Howard Haven and the Criminal Justice Center. This agreement is under review by the County Attorney.

4. **Representative of The Freije Company:** Mr. Fross introduced Mr. Frank Kantner, a representative of The Freije Company, a full service electrical and mechanical contractor. His company is offering an Electrical Preventive and Predictive Maintenance package service for the Criminal Justice Center. Mr. Kantner explained the assessment service and its cost of \$7,280.00 for the first year. This service is being done at Howard Regional Center, if a reference is needed.
5. **Benchmark Performance Bond:** Mr. Murrell presented a Performance Bond for Benchmark Mechanical Inc., from Cincinnati Insurance Company. The Bid Bond is ready to be released. A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to accept the Performance Bond for Benchmark Mechanical Inc., and to release the Bid Bond.

IN THE MATTER OF PERSONNEL ISSUES:

In the absence of Personnel Director Wanda McKillip, Commissioner Raver informed the Board of the appointment expiration for Mr. Chuck McCoskey on the Howard County Community Corrections Advisory Board. Mr. Raver made a motion to reappoint Mr. McCoskey to the Howard County Community Corrections Advisory Board for a term of four years, to expire in October of 2010. The motion was seconded by Mr. Harbaugh and carried.

IN THE MATTER OF CLAIMS AND REPORTS:

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

1. **Commissioner Salary Claims:** Salary, hourly and overtime claims payable October 20 and 27, and November 3, 2006 in the amount of \$296,420.05 was approved on a motion made by Mr. Raver and seconded by Mr. Harbaugh.
2. **Commissioner Operating Claims:** Ms. Wells presented twelve claims with reference to the Administration Center HVAC Project (*please refer to page two, item five, "In The Matter Of Maintenance Issues", of the Regular Meeting minutes dated September 18, 2006*). Those twelve claims were made payable to Benchmark Mechanical and the supplier, totaling \$85,307.68, and were approved on a motion made by Mr. Harbaugh and seconded by Mr. Raver. Operating claims payable October 16, 2006, in the amount of \$536,653.77 and three claims, in the amount of \$1,000.00, to Button Motors for the Drug Task Force Vehicle Lease payments, were approved on a motion made by Mr. Harbaugh and seconded by Mr. Raver.
3. **Treasurer's Monthly Report:** The monthly Treasurer's report for the month ending September 30, 2006 was accepted on a motion made by Mr. Harbaugh and seconded by Mr. Raver.
4. **Harrison Township Appeal Hearing:** Concerning the appeal of Kathy Jo Townsend, Hearing Officer Paul Raver brings no recommendation at this time. The appeal was remanded back to the township trustee for further action.
5. **Veteran Service Officer's Monthly Report:** The VSO report for the month of September 2006 was accepted on a motion made by Mr. Raver and seconded by Mr. Harbaugh.

IN THE MATTER OF A RENEWAL CONTRACT FOR BUTLER FAIRMAN & SEUFERT:

Chief Deputy Surveyor Greg Lake presented a request for the renewal of a contract with Butler Fairman & Seufert, for GPS Level III section corners, from the Perpetuation Fund. Mr. Murrell will prepare a renewal contract for submission at the November 6th meeting.

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

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

1. **Barnes & Thornburg Invoice:** An invoice in the amount of \$1,080.00 for services regarding the Anna K. Ingle ICRC Charge was submitted and approved on a motion made by Mr. Raver and seconded by Mr. Harbaugh.

2. **Second Reading Of Ordinance No. 2006-BCC-41:** An Ordinance of the Howard County Board of Commissioners repealing Ordinance 1987-19 as amended by 1993-13 Regulating Smoking in County Buildings, was read for the second time. A motion was made by Mr. Raver to approve Ordinance No. 2006-BCC-41. President Bagwell vacated the chair to second the motion. The motion was carried with yes votes cast by Mr. Raver and Mr. Bagwell. Mr. Harbaugh voted against the motion. Ordinance No. 2006-BCC-41 was passed on the second reading.
3. **Memo To County Employees:** Mr. Murrell has prepared a memo to all County Employees informing them of the No-Smoking Ordinance passed by the City and the County Ordinance repealing designated smoking areas in County Buildings located within city limits. Mr. Murrell asks that the memo be distributed through the payroll checks. A motion was made by Mr. Raver to approve the employee memo and allow it to be distributed through the payroll checks. Mr. Bagwell vacated the chair to second the motion and the motion carried with two yes votes by Mr. Raver and Mr. Bagwell. Mr. Harbaugh voted against the motion.
4. **Smoking Amendment To The Employee Handbook:** Sample amendments were prepared for review by the Board and will be addressed at the November 6th meeting.

IN THE MATTER OF COMMISSIONER ISSUES:

1. **New Perspective Reporter:** Reporter Lisa Phipps introduced Ms. Cynthia Fulgate to the County Commissioners, Attorney Murrell and Auditor Wells. She was welcomed by President Bagwell.
2. **Citizen Concerned With House Numbering System:** Commissioners Raver and Bagwell received correspondence from a citizen concerning the numbering system between the City block system and the County's numbering system. Several different suggestions were voiced. It was decided by consensus to discuss the issue with Highway Engineer / Supervisor Ted Cain.
3. **2007 Holiday and Commissioner Meeting Schedules:** Ms. Wells submitted copies of a proposed 2007 Holiday Schedule and Commissioner Meeting Schedule. The State has not submitted their 2007 Holiday Schedule, yet, but Ms. Wells has received requests from the Courts to proceed with Howard County's schedule so that 2007 court dates can be put on the calendar. Discussion ensued concerning when the State will observe Veteran's Day. On a motion made by Mr. Harbaugh and seconded by Mr. Raver, the Holiday Schedule was approved as submitted, observing Haynes Apperson Day as a Special Holiday, with the knowledge that the Schedule may be amended upon receipt of the State's Holiday Schedule. A motion was then made by Mr. Raver to approve the Commissioner Meeting Schedule as submitted. The motion was seconded by Mr. Harbaugh and carried.
4. **Letter Of Understanding Unofficial Detour:** A Letter of Understanding Unofficial Detour was received by the Board of Commissioners from the Indiana Department of Transportation. This is in reference to a Bridge Replacement on State Road 29 over Hurricane Creek in Carroll County, 1.7 miles north of State Road 26. The unofficial detour route will not be signed as a detour. Howard County is responsible for signing any weight restrictions on the Unofficial Detour. INDOT agrees to reimburse Howard County for costs related to damage repair on the listed unofficial detour. A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to approve the Letter of Understanding Unofficial Detour.
5. **U.S. 31 Bypass Public Information Meeting:** The Indiana Department of Transportation directs any interested party to a U.S. 31 Bypass Information meeting in November of 2006. The topics of the meeting will be the current proposed route (modified J), and the Touby Pike interchange. It is anticipated that the State will hold a Record of Decision meeting in February, 2007.

There being no further business to come before the Board of Commissioners at this time, the meeting was adjourned at 9:56 a.m. on a motion made by Mr. Harbaugh and seconded by Mr. Raver.

HOWARD COUNTY BOARD OF COMMISSIONERS:

BRADLEY J. BAGWELL, PRESIDENT

PAUL J. RAVER, VICE PRESIDENT

JOHN B. HARBAUGH, MEMBER

ATTEST:

ANN WELLS, AUDITOR
Commissioner Meeting Minutes October 16, 2006