

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING DECEMBER 18, 2006

The Howard County Board of Commissioners met in Regular Session on Monday, December 18, 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 APPROVAL OF MINUTES:

The minutes of the December 4, 2006 Regular Meeting and the December 5, 2006 Administrative 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 ISSUES:

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

1. **Road Paving Is Completed:** Mr. Cain reported to the Board that with the temperate weather we've experienced recently, he was able to accomplish more road paving and chip and sealing, making a total of one hundred thirty-five (135) miles of road completed.
2. **Request For Proposals:** Mr. Cain has received seven proposals for engineering services relating to Howard County's portion of the Highway 31 Freeway Project. Mr. Cain has read all of the proposals and would recommend Butler Fairman & Seufert. There has been some discussion concerning the possibility of splitting the project between several different contractors. Because this project will have several different phases spanning the next ten years, Mr. Cain believes having the same engineering firm for the entire project would be in the best interest of Howard County. At the conclusion of ensuing discussion a motion was made by Mr. Harbaugh, seconded by Mr. Raver and carried to accept the engineering proposal from Butler Fairman and Seufert. This action will be forwarded to the State, who will prepare the contract documents.

Kokomo Tribune reporter Ken de la Bastide commended Mr. Cain on the care of intersections during recent cold weather and icy conditions.

Mr. Cain thanked Commissioner John Harbaugh for his twelve years of service to Howard County as Commissioner. Mr. Cain has enjoyed working with Mr. Harbaugh, describing his time as Engineer as being very rewarding.

IN THE MATTER OF THE WEEKEND JAIL POPULATION:

Sheriff Marshall Talbert reported the current jail population, today, as being three hundred forty-five (345) inmates. Over the weekend, however, the number climbed to three hundred seventy one (371) inmates, setting a record jail population. The majority of the inmates are being held pending trial. Superior Court III Judge Tate worked over the weekend to grant early releases, and several inmates have been moved to other facilities. Discussion ensued as how to best address the issue. The Board spoke about the Criminal Justice Coordinating Committee and that they are looking forward to the results of the jail study. Several ideas were discussed including lowering bond amounts and enabling Officers to immediately set court dates for DUI arrests. Sheriff Talbert informed the Board of a Criminal Justice Facilities Seminar scheduled in February. He would like as many Board Members as are interested, to contact him for attendance information. Sheriff Talbert has looked at the possibility of using prefabricated steel shells, currently being constructed in Marshall County.

IN THE MATTER OF DEMOLITION QUOTES:

Plan Commission Director Glen Boise reported on the Demolition quotes received for the demolition of property located at 4089 South 350 East (*please refer to page two, item four, "In The Matter Of Plan Commission Issues", of the Regular Meeting minutes dated December 4, 2006*). Mr. Boise recommends accepting the quote from Stephen's Bulldozing, in the amount of \$6,474.00, as the lowest responsible and responsive quote. A motion was made by Mr. Raver, seconded by Mr.

Harbaugh and carried to approve the quote from Stephens Bulldozing, in the amount of \$6,474.00 as being the lowest responsible and responsive bid.

Mr. Boise expressed gratitude to Mr. John Harbaugh for his service as County Commissioner and his membership on the Traffic Commission.

IN THE MATTER OF MAINTENANCE ISSUES:

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

1. **Invitations To Quote:** Mr. Fross submitted two Invitations to Quote for approval by the Board. One is for the concrete pad for the new emergency tower to be located at the County Highway location, and the second quote is for the installation of chain link fence around the tower site. The quotes are to be received no later than 3:00 p.m. on Thursday, December 28, 2006 and opened at 9:00 a.m. of the Regular Commissioner Meeting on Friday, December 29, 2006. A motion was made by Mr. Harbaugh to approve the Invitations to Quote and authorize Mr. Fross to distribute the same on behalf of the Board. The motion was seconded by Mr. Raver and carried.
2. **A T & T Equipment Agreement:** In May of this year, Judge Tate requested an additional phone line for a fax machine (*please refer to item eight, page three of the Regular Meeting Minutes dated May 15, 2006*). That request has resulted in the need to upgrade the present system. Mr. Fross now submits a Hardware and Software Equipment Agreement from AT&T for the upgrade of the phone system for the Courthouse. Funds have not been dedicated to this request and a motion is made by Mr. Raver to transfer \$21,000.00 from the Administration Center HVAC Project, in Cumulative Capital Funds, to the Maintenance and Grounds line item. The motion was seconded by Mr. Harbaugh and carried. A motion was then made by Mr. Raver, seconded by Mr. Harbaugh and carried to approve the AT&T Hardware and Software Equipment Agreement, in the amount of \$20,367.06, subject to Attorney Murrell's review and approval.
3. **HVAC Project Complete:** The HVAC Project for the Administration Center has been completed and is working well. The first floor and basement floor, used by Key Bank is also working very well and Key Bank has expressed its appreciation.

Mr. Fross congratulated Commissioner Harbaugh on his retirement and thanked him for the fine job as County Commissioner.

IN THE MATTER OF PERSONNEL ISSUES:

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

1. **Commissioner Appointments:** Ms. McKillip submitted a list of reappointments that needed to be addressed. The appointments were made as follows:
 - Board of Zoning Appeals:** A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to reappoint Mr. Richard Byrum and Mr. Donald Winger to the Board of Zoning Appeals for four years commencing January 1, 2007.
 - Howard County Alcoholic Beverage Commission:** Ms. Beth Harshman was reappointed for a one year term commencing January 1, 2007, to the Alcoholic Beverage Commission on a motion made by Mr. Harbaugh and seconded by Mr. Raver.
 - City of Firsts Automotive Heritage Museum, Inc:** A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to reappoint Mr. Jim Brannon to the City of Firsts Automotive Heritage Museum, Inc. for a term of three years commencing January 1, 2007.
2. **Employee Handbook Revision Recommendations:** Ms. McKillip outlined the Employee Handbook Revisions as recommended by the PAC Committee:

Vacation Policy: There is a change in the Vacation Benefits paid at the time of employment termination. It is recommended that the handbook be changed to read, **"Upon termination or resignation, employees will only be compensated for any unused vacation time they earned on January 1st of the current year."** This is a change from the former policy to pay accrued vacation for the coming year, as well as the unused vacation of the year in which the termination takes place.

Vacation Buy Back: It is recommended by the PAC Committee to offer a vacation buy back policy for 24 hour a day / 7 day a week Operations: **"Full-time Employees who are employed with the Criminal Justice Center, Kinsey Youth Center and Howard Haven Residential Center that re required to work a rotation schedule are eligible for a County buy-back of up to five (5) vacation days per year. Full-time Employees who work a Monday through Friday schedule are not eligible for vacation buy-back. Approval for the employee to participate in the buy-back must be made by the Elected Official or Department Head. Vacation payment will be made at straight-time pay and included in the last pay of the year."**

On a motion made by Mr. Raver and seconded by Mr. Harbaugh, the PAC Committee recommendations concerning Vacation Benefits paid on employee termination and Vacation Buy Back option were approved as recommended.

Holiday Pay For Part Time Employees Of 24/7 Operations: It is recommended that the Employee Handbook be revised to include the following amendment. **"Part-time Employees who are employed with the Criminal Justice Center and Howard Haven Residential Center that are required to work on a holiday shall be eligible for holiday pay. The recognized holiday schedule for part-time hourly employees will be as follows. The employee must complete their probationary period to be eligible. This classification of employees will be compensated at the rate of one and one half (1½) times their hourly rate for hours worked on the following holidays. Hourly employees who do not work on a holiday will not receive holiday pay.**

New Year's Day	Fourth of July	Thanksgiving Day
Easter	Labor Day	Christmas Day
Memorial Day		

Kinsey Youth Center - The holiday schedule approved by the Howard County Board of Commissioners will be the recognized schedule for all salaried Court employees. The holiday schedule may be amended or supplemented at the direction of the Circuit Court Judge. The recognized holiday schedule for full-time and part-time hourly employees will be as follows. This classification of employees will be compensated at the rate of one and one half (1½) times their hourly rate for hours worked on the following holidays. Hourly employees who do not work on a holiday will not receive holiday pay.

New Year's Day	Fourth of July	Friday following Thanksgiving
Easter	Labor Day	Christmas Eve Day
Memorial Day	Thanksgiving Day	Christmas Day

A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to approve the revisions to the Employee Handbook concerning paid holidays as listed above.

Ordinance No. 2006-BCC-48: This Ordinance "formalizes" the approved revisions made to the Employee Handbook, in Ordinance form. Ordinance No. 2006-BCC-48 is approved on a motion made by Mr. Raver and seconded by Mr. Harbaugh. These revisions will be effective January 1, 2007.

Ms. McKillip expressed to Mr. Harbaugh her pleasure in working with him and her appreciation of a job well done. He's been a wonderful Commissioner.

IN THE MATTER OF INFORMATION SYSTEMS ISSUES:

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

1. **Amend Amount Total For Health Department Computer Upgrade Project:** At the September 18, 2006 meeting, Health Department Director Kristine Conyers received approval to purchase fourteen (14) new computers for the Health Department, to be paid out of the Local Health Maintenance Fund, in the amount of \$17,871.98 (*please refer to page four, "In The Matter Of Department Of Health Computer Purchase Request", of the Regular Meeting minutes dated September 18, 2006*). Mr. Tribby would like to make the work stations VISTA compatible. This will increase the cost of the project to \$18,130.56, a \$258.58 increase from the amount appropriated at the October Council Meeting. Until the Health Department can receive appropriation from Council for the \$258.58 additional funds, Mr. Tribby will pay the balance with his Cumulative Capital funds. Attorney Murrell recommended that the Board of Commissioners treat the request as a Special Purchase for the sake of compatibility being a primary consideration. A motion was made by Mr. Harbaugh, seconded by Mr. Raver and carried to approve the amended purchase amount of \$18,130.56 and to treat it as a Special Purchase citing compatibility as a primary consideration.
2. **Dell Purchase Of Forty-Five Workstations:** As a part of his 2007 Approved Budget, Mr. Tribby requests the purchase of forty-five (45) Dell workstations for the Criminal Justice Center, in the amount of \$37,573.20. A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to approve the purchase of forty-five workstations for the Criminal Justice Center in the amount of \$37,573.20, and to treat it as a Special Purchase finding compatibility as a primary consideration.
3. **Appreciation To Auditor's Office:** Mr. Tribby expressed appreciation to the Auditor's Office for alerting him to dedicated phone lines the County is still paying but may no longer need. Those lines have since been cancelled.

Mr. Tribby congratulated Mr. Harbaugh on his retirement and wished him happiness. It's been a pleasure working with Mr. Harbaugh.

IN THE MATTER OF US IMAGING CONTRACT FOR RECORDER'S OFFICE:

Howard County Recorder Linda Koontz explained that early in 2005 she contracted with a company to begin the digitalization project. The product was inferior and the Recorder's Office received their money back. Ms. Koontz presents an agreement with US Imaging for digital scanning of images to import into the Fidlar Imaging System, in the amount of \$74,000.00. This agreement has been reviewed by Mr. Murrell and his recommendations have been submitted to US Imaging. Mr. Murrell also explained that because it is essentially a **service** agreement and that there is a compatibility consideration; it did not need to go through the bid or quote process. A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to approve the Service Agreement with US Imaging in the amount of \$74,000.00 and to treat the agreement as a Special Purchase because it is a **service** agreement and that compatibility is a primary consideration. The President was authorized to sign on behalf of the Board of Commissioners.

IN THE MATTER OF GRANT APPROVAL FOR THE COMMUNITY DRUG FREE FUND:

Mr. Don Ridenour, of the Local Coordinating Council for the Community Drug Free Fund, reported to the Board on two grants that the Criminal Justice Committee of the LCC have agreed to help fund. The Kokomo Police Department and the County Sheriff's Department will be receiving grants of \$3,500.00 each to help with funding patrol car camera systems. On a motion made by Mr. Harbaugh and seconded by Mr. Raver, the grants for the Kokomo Police Department and the County Sheriff's Department were approved.

IN THE MATTER OF AMBULANCE SERVICE IN BURLINGTON:

Mr. Mike Durr, Director of the Carroll County EMS, was in attendance to inform the Board of Commissioners of the change in service of the Burlington EMS. He introduced members of the Burlington Fire Department, St. Joe and Howard Regional Hospitals, and the Ervin and Monroe Township Trustees. For the last several years, because of the lack of volunteers, Carroll County has installed a full time employee at the Burlington Fire Department. Burlington has provided Basic Life Support services to parts of Howard and Carroll Counties, because of response times. Carroll County will

provide **Advanced Life Support** and ambulance service twenty four hours a day, now, out of Burlington. The present system is a dual response from Burlington (BLS) and Howard or St. Joe (ALS) with the transport being made by the first on the scene. Because an assignment of territories has not yet been reached for Howard County, Mr. Durr needs direction from the Board concerning any change in present policy because of Burlington now being Advanced Life Support capable. Mr. Raver would suggest that Mr. Durr meet with Dispatch representative Gary Bates, Mr. Raver, and both hospitals as they continue to study this issue together. Attorney Larry Murrell commented that later in the meeting he would be bringing a third Amended Tolling Agreement, amending the "Tolling Period" until June 1, 2007. There needs to be a proposal made for the interim period. Both the St. Joe Hospital representative and Howard Regional representative said they would agree to the dual response service, as is presently in place, with the Burlington Ambulance providing Advanced Life Support as well as Basic Life Support on an interim basis. The transport would go to the first ambulance on the scene. A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to approve of the Burlington Ambulance providing Advanced Life Support service to Monroe and Ervin Townships and to continue the dual response service with the first on scene to transport. This will be effective January 1, 2007 and continue until the Howard County Assignment of Territories is finalized.

IN THE MATTER OF HOWARD HAVEN APPLICATIONS:

Howard Haven Superintendent Tom Tolen submitted two applications for residency for Board of Commissioner approval. The first application is for Ms. Dorothy Young and the second for Mr. Kenneth Keller. The criminal history background has been done for Ms. Young and medical screens on both applicants have been accomplished. On a motion made by Mr. Harbaugh and seconded by Mr. Raver, the applications for Dorothy Young and Kenneth Keller have been approved on the usual ninety day probationary period.

IN THE MATTER OF CLAIMS AND REPORTS:

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

1. **Commissioner Salary Claims:** Salary, hourly and overtime claims payable December 22 and 29, 2006, in the amount of \$296,420.05, were approved on a motion made by Mr. Harbaugh and Mr. Raver.
2. **Commissioner Operating Claims:** Operating claims payable December 18, 2006, in the amount of \$406,724.07, 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 November 30, 2006 was accepted on a motion made by Mr. Harbaugh and seconded by Mr. Raver.

IN THE MATTER OF THE THIRD AMENDED TOLLING AGREEMENT:

Attorney Larry Murrell presented the Third Amended Tolling Agreement between the Board of Trustees of Howard Community Hospital and the Howard County Board of Commissioners, tolling and suspending the running of the statute of limitations through June 1, 2007. A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to approve the Third Amended Tolling Agreement.

IN THE MATTER OF COMMISSIONER ISSUES:

1. **New Tower Survey Invoice:** An invoice was submitted by Mr. Dan Minor to the Board of Commissioners for the survey of the new Emergency Tower location, in the amount of \$725.00. The invoice is approved for payment on a motion made by Mr. Harbaugh and seconded by Mr. Raver.
2. **Extension Office Closing Request:** A letter has been received from Susan Neher, Extension Education Director, requesting the office be closed on Friday, January 5, 2007, for an annual office retreat. A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to approve the closing of the Extension Office on Friday, January 5, 2007. The Extension Office Annual Report was also received.
3. **Letter From Howard County Treasurer:** A letter was received from Treasurer Martha Lake, thanking the Board of Commissioners for their help in the purchase and installation of the Check Capture System.

At this time, Board President Brad Bagwell recognized the service of Mr. John B. Harbaugh as Howard County Commissioner. He presented a plaque to Mr. Harbaugh for service spanning January 1, 1995 to December 31, 2006, on behalf of the Board of Commissioners, and the citizens and employees of Howard County. He continued to say that it was an honor and pleasure to serve with Mr. Harbaugh during those years. Mr. Bagwell thanked Mr. Harbaugh personally and hopes this latest retirement will be enjoyable.

After much applause, Mr. Harbaugh responded that it has been a pleasure serving the County for the last twelve years. People think there are improper things that happen in politics; if so, it's not in Howard County. Elected officials and appointees have been honest and hardworking people. At the completion of comment, a Certificate of Appreciation was extended to Mr. Harbaugh from the Sheriff's Department, for assistance given.

Plaques and Certificates were also presented to out-going County Assessor Ann Harrigan and out-going County Councilman Dwight Singer: Councilman Singer for his twenty-four years as Councilman and Ms. Harrigan for her many years in various County positions and offices. Mr. Singer commented that it has been a pleasure to serve the "taxpayers of Howard County" the last twenty-four years, as well as employees, elected officials and department heads. He also extended congratulations to David Trine, in-coming Commissioner.

There being no further business to come before the Board of Commissioners at this time, the meeting was adjourned at 10:45 a.m. on a motion made by Mr. Raver and seconded by Mr. Harbaugh.

HOWARD COUNTY BOARD OF COMMISSIONERS:

BRADLEY J. BAGWELL, PRESIDENT

PAUL J. RAVER, VICE PRESIDENT

JOHN B. HARBAUGH, MEMBER

ATTEST:

ANN WELLS, AUDITOR

Howard County Commissioner Meeting December 18, 2006