

## **HOWARD COUNTY BOARD OF COMMISSIONERS MEETING APRIL 17, 2006**

The Howard County Board of Commissioners met in Regular Session on Monday, April 17, 2006, at 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 Sheriff Marshall Talbert and conducted by President Bagwell.

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

The minutes of the April 3, 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 ISSUES:**

Highway Engineer / Supervisor Ted Cain informed the Board of Commissioners of the beginning of the Bridge project located at 3 East and 4 North. The project will take several weeks to complete.

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

Sheriff Marshall Talbert submitted the following issues for Board information and approval:

1. **Bids for Five New Vehicles:** Bid packages were sent out after the April 3, 2006 Regular Commissioner Meeting (*please refer to page one, item one, "In the Matter of Sheriff Issues" of the Regular Meeting Minutes dated April 3, 2006*). Sheriff Talbert has spoken with Kokomo Auto World and Bloomington Ford in reference to the Bids, and was informed that orders for 2006 vehicles must be received no later than April 28, 2006. Because the bids will not be opened until May 1<sup>st</sup>, the vehicles to be supplied will have to be 2007 models.
2. **Weekend Storm Damage:** Aside from flooded streets and a few minor traffic incidents, there was minimal damage due to the storms that descended on Howard County over the weekend.
3. **Funding for Additional Canine Request:** At the April 3, 2006 Regular meeting, the Board of Commissioners authorized Sheriff Talbert to proceed with researching fund availability for an additional canine (*please see page one, item two, "In The Matter of Sheriff Issues" of the Regular meeting minutes dated April 3, 2006*). Mr. Talbert has been in contact with Prosecutor Fleming concerning distribution of funds to Local Law Enforcement. Mr. Fleming is looking into that possibility for this year, enabling the Sheriff's Department to purchase a new canine without effecting General Fund.
4. **Misdemeanant Grant Money:** Sheriff Talbert was informed by the Indiana Department of Corrections that Howard County would be receiving \$66,500.00 for the Misdemeanant Fund in September of this year.
5. **Hoosier Safety Program:** The severe storms that were a part of this weekend brought to the forefront the option to subscribe to the Hoosier Safety Program, originally presented at the October 3, 2005 Regular meeting (*please refer to page one, item number two, "In The Matter of Sheriff Issues" of the Regular Meeting minutes dated October 3, 2005*). Commissioner Bagwell suggested that Sheriff Talbert dialogue with Coroner Brad Bray concerning the possibility of grants available to help underwrite the cost. The Board of Commissioners addressed the need for a new tower location at the March 6<sup>th</sup> meeting (*please refer to page five, item two, "In The Matter Of Commissioner Issues", of the Regular meeting minutes dated March 3, 2006*). The site originally intended might not be big enough to use. The money intended for moving the antenna, could be used to buy radios for the Hoosier Safety Program.
6. **Inmate Work Crew:** Commissioner Bagwell asked if the Inmate Work Crew could be involved with clean up work at the ditch located on Carter Street, north of Highway 35/22 in Greentown. Sheriff Talbert will inspect the sight.

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

Plan Commission Director Glen Boise presented the following issues for Commissioner information and approval:

1. **Case 35-CP-02:** Two lots in Dogwood Tree Subdivision located at 5283 West 300 South. Case 35-CP-02 was approved on a motion made by Mr. Harbaugh and seconded by Mr. Raver.
2. **Unsafe Building:** The unsafe building located at 3904 South 350 West, Myers' property, is ready for demolition quotes. Even though it is estimated to be below \$25,000.00, the unsafe building statute requires a public bidding process. Mr. Murrell has prepared an Invitation to Quote and suggests the quotes be received no later than 8:30 a.m., May 15th, and opened at 9:00 a.m. to comply with the applicable statutes. A motion was made by Mr. Harbaugh, seconded by Mr. Raver and carried to receive the Demolition Quotes no later than 8:30 a.m. May 15, 2006 and open the quotes at 9:00 a.m. Mr. Murrell noted that the costs of demolition will exhaust the remaining funds in the Unsafe Building account. Any future expense requests will need to go before the County Council.
3. **Unsafe Building Report:** Commissioner Bagwell reported an Unsafe Building in West Liberty, Union Township. There is an old schoolhouse and an additional house. Mr. Boise will contact Steve Carter, the Township Trustee, for more information.
4. **Flood Mitigation:** Mr. Boise has received the following quotes for the demolition of the driveway at property located at 3258 West 250 South, the former Randall property:

Feightner Excavating, Inc.	\$2,900.00
Stephens Bulldozing, Inc.	\$2,040.00

A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to accept the Stephens Bulldozing, Inc. bid of \$2,040.00 as the lowest and most responsive bid, for the excavation of the driveway located at 3258 West 250 South.

5. **Multi-Hazard Mitigation Plan:** Emergency Management Director, Larry Smith, is looking at the tornado map, questioned by the Board of Commissioners at an earlier meeting, and directing one of the storm watchers to correct any inaccuracies.

**IN THE MATTER OF MAINTENANCE ISSUES:**

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

1. **Unsolicited Asphalt Sealing Proposal:** Mr. Fross presented an unsolicited Proposal from Ranger Materials for the cleaning and sealing of the parking lot at the Criminal Justice Center, in the amount of \$4,217.00. Discussion ensued as to the need for the project, what repairs the project covers, and funding for the project. The Commissioners directed Mr. Fross to invite quotes from other companies for comparison.
2. **County Building Pest Control:** At the April 3<sup>rd</sup> Commissioner Regular Meeting, the Board approved a pest control contract with Indiana Pest Control for the five county buildings (*please refer to page two, item two "In The Matter of Maintenance Issues" of the April 3, 2006 Regular Meeting minutes*). Mr. Fross received confirmation from the Superintendent of Howard Haven that their budget did not allow them funds for pest control at this time. The amount of \$568.00 has been deducted from the contract amount of \$3,148.00.
3. **HVAC Project:** Measurements and specifications have not yet been received from Vintage Archonics, concerning the Administration Center HVAC Project.
4. **Buildings and Grounds Assistant Superintendent Appointment:** Mr. Fross announced the appointment of Scott Reed as Assistant Superintendent of the Buildings and Grounds Department. This appointment is effective May 1<sup>st</sup> and a replacement Technical 1 opening will be posted.

**IN THE MATTER OF INFORMATION SYSTEMS:**

Information Systems Director Terry Tribby informed the Commissioners that the Russiaville hot spot, for the Wireless Project, was approved to be installed at the water tower in Russiaville. The installation was completed in time for the spring storms and was fully functional. The Information Systems had wired from the tower to the town building, and installed computers and internet access for the deputy, as well.

**IN THE MATTER OF THE MAYOR'S COMMUNITY-BASED COUNCIL FOR SUBSTANCE ABUSE BUDGET:**

Mr. Don Ridenour, Volunteer Facilitator for the Mayor's Community Based Council for Substance Abuse, presented the 2006 Budget for Commissioners' approval. Mr. Ridenour took the opportunity to take the Board through the different accounts and requests of the Budget for their information and clarification. He also pointed out to the Commissioners, the monies earmarked for salary and training for the proposed Drug Court, in the amount of \$16,000.00. The total amount of the budget is \$80,000.00 with \$59,734.00 allocated funds. After ensuing discussion a motion was made by Mr. Harbaugh, seconded by Mr. Raver and carried to allocate the budget items as presented, for the Mayor's Community-Based Council for Substance Abuse Program. The Board of Commissioners directed Mr. Ridenour to submit the budget to the County Council for their appropriation and approval.

**IN THE MATTER OF THE PROPOSED INTERLOCAL AGREEMENT BETWEEN HOWARD COUNTY AND THE HOWARD COUNTY SOIL AND WATER CONSERVATION DISTRICT:**

Attorney Larry Murrell presented this Memorandum of Understanding between Howard County and the Soil and Water Conservation District (SWCD). The MS-4 (Municipal Separate Storm Sewer Systems) project requires Rule 5 Pollution Prevention Plan reviews and site inspections that the MS-4 Coordinator and staff do not have the man power to conduct. They will outsource these jobs to the SWCD at no charge to the County. On a motion made by Mr. Raver and seconded by Mr. Harbaugh, the Memorandum of Understanding between Howard County and the Soil and Water Conservation District was approved. This MOU will be forwarded to the County Council for its approval.

At this time, President Bagwell welcomed E911 Director, Tony Ramsey, to Howard County. Mr. Ramsey was recently re-hired to his former position.

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

Auditor Ann Wells submitted the following claims and reports for Board information and approval:

1. **Commissioners Salary and Hourly Claims:** The Salary claims payable April 21 and 28, 2006, in the amount of \$296,420.05, were approved on a motion made by Mr. Raver and seconded by Mr. Harbaugh.
2. **Commissioner Operating Claims:** Commissioners Operating claims payable April 17, 2006, in the amount of \$343,728.36, were approved on a motion made by Mr. Raver and seconded by Mr. Harbaugh.
3. **Request for Postage Claim Request:** An emergency claim for postage is submitted, from the Treasurer's Office, for the mailing of Escrow Owner Notices. Publication of Escrow Owner Notices will be mandatory in 2007. Treasurer Martha Lake felt it important to send them in 2006, as well. A motion was made by Mr. Raver to approve the postage claim in the amount of \$3,516.00 for the mailing of Escrow Owner Notices. The motion was seconded by Mr. Harbaugh and carried.

*At this time the Regular meeting was recessed to hold a previously scheduled  
Public Hearing concerning the proposed Pool Ordinance  
submitted by the Department of Health.*

President Bagwell opened the Public Hearing and Department of Health employee, Michelle Arvin, submitted the amended copy of the Howard County Pool Ordinance. This amended ordinance was approved by the Board of Health at their April 10<sup>th</sup>, meeting. It does not require a Certified Pool Operator, but highly recommends one; any pool having four reasons for closure in a thirty day period will be issued an "Order to Abate", requiring a hearing with an officer of the Regulatory Authority.

Attorney Murrell would like the Ordinance to include language concerning the definition of Imminent Health Hazard, "including but not limited to those listed in sections eleven and twelve".

After continued discussion, President Bagwell opened the floor for Public comment. There being no public comment, the President entertained a motion from the Board, concerning Ordinance No. 2006-BCC-11. A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to approve Ordinance No. 2006-BCC-11, subject to final legal review, and including the amendment concerning language for the definition of "imminent health hazard". The Board expressed appreciation to all who were involved in the process of writing the Ordinance.

Department of Health Director Kristine Conyers asked the Board to address the Board of Health Fee Ordinance, which had been continued until after the approval of the Pool Ordinance (*please refer to page four of the Regular Meeting minutes dated November 7, 2005*). Ms. Conyers pointed out the \$50.00 fee on checks returned for Non-Sufficient Funds. Auditor Wells commented that as Treasurer, she was only allowed to collect up to \$30.00, according to State Statute. The Board directed the Department of Health to amend the Fee Ordinance, schedule 3G, and to look into the current State allowance for fees on checks returned for Non Sufficient Funds. Further action on the Fee Ordinance was deferred to a later date.

On a motion made by Mr. Harbaugh and seconded by Mr. Raver, the Public Hearing was closed.

*The Commissioner Regular Meeting was reconvened and the Board finished Hearing Auditor issues.*

- D. **Treasurer's Monthly Report:** The Treasurer's Monthly Report for the month ending March 31, 2006 was accepted on a motion made by Mr. Raver and seconded by Mr. Harbaugh.

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

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

1. **Installation Incomplete:** E-911 Director Tony Ramsey informed Mr. Murrell that the installation of the E-911 equipment and software is not yet completed. Accordingly, the Certificate of Acceptance should not be delivered to A T & T at this time (*please refer to page four, "In The Matter Of The E-911 Equipment Lease Contract With The A T & T" of the Regular Meeting minutes dated April 3, 2006*).
2. **Howard County Jail and Juvenile Detention Center Building Corporation:** Two members, Judge George Hopkins and Dick Fawcett, have resigned from this five member corporation. Mr. Murrell reports that Mr. Hans Pate and Mr. Mike Wood have agreed to become a part of the Building Corporation.
3. **Howard Haven Fee Schedule:** Mr. Murrell will contact Howard Haven Director Tom Tolen in regards to the proposed Howard Haven Fee Schedule, and will bring a final draft for Commissioner signature at the May 1<sup>st</sup> meeting.
4. **Public Hearing For Vacation of Easement:** During the April 3<sup>rd</sup> Commissioner Meeting, it was approved that the Public Hearing request for Mr. Dan Fawcett be rescheduled to May 1, 2006 (*please refer to page five, item two, "In The Matter Of County Attorney Issues" of the Regular Meeting minutes dated April 3, 2006*). Mr. Fawcett has requested an additional extension of the Public Hearing to May 15, 2006. A motion was made by Mr. Harbaugh, seconded by Mr. Raver and carried to reschedule the Public Hearing for Vacation of Easement on behalf of petitioner Dan Fawcett to 9:30 a.m. on May 15, 2006.

There being no further action to come before the Board at this time, the meeting was adjourned at 10:00 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. RAVER, VICE PRESIDENT

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JOHN B. HARBAUGH, MEMBER

ATTEST:

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ANN WELLS, AUDITOR  
Commissioner Meeting Minutes April 17, 2006