

## **HOWARD COUNTY BOARD OF COMMISSIONERS MEETING JULY 16, 2007**

The Howard County Board of Commissioners met in Regular Session on Monday, July 16, 2007, at 8:30 a.m. in Hearing Room No. 338 of the Howard County Administration Center. Those in attendance included Board of Commissioner President Paul J. Raver, Vice President Bradley J. Bagwell, and Member David A. Trine. Also in attendance were County Attorney Larry Murrell and Auditor Ann Wells.

The meeting was opened by Sheriff Marshall Talbert and conducted by President Paul Raver.

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

The minutes of the July 2, 2007 meeting, having been previously submitted and reviewed, were approved on a motion made by Mr. Bagwell and seconded by Mr. Trine.

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

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

1. **Cumulative Bridge Fund Public Hearing:** President Raver opened the Public Hearing concerning the proposed tax rate increase for the Cumulative Bridge Fund. Mr. Cain explained that the Cumulative Bridge Fund tax rate had been lowered several years ago, to make funds available to the County General Fund, because of the financial situation of the County. Mr. Cain has been maintaining bridges as best he could with the lower amount of funds available. Several bridge repairs need to be addressed, requiring an increase in the taxing rate. At the conclusion of Mr. Cain's presentation, the floor was opened for public comment. There being no additional comments, the Public Hearing was closed on a motion made by Mr. Bagwell and seconded by Mr. Trine.

Ordinance No. 2007-BCCO-29 is an Ordinance of the Howard County Board of Commissioners that proposes an increase in the tax rate for the Howard County Cumulative Bridge Fund, not to exceed \$.0233 per \$100 of assessed valuation. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve Ordinance No. 2007-BCCO-29.

2. **Paving Projects:** Paving and striping projects are continuing. The Chip and Seal project will begin this Thursday. Commissioner Bagwell reminded Mr. Cain of a section of County Road 850 East that was paved at the end of last year, but was never striped. Mr. Cain will address that issue.

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

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

1. **Current Jail Population:** The current inmate population is three hundred twenty-six (326) inmates, forty-one of them being female.
2. **Lift Installed:** A new vehicle lift has been installed in the County Highway Department's garage. Sheriff Talbert extends gratitude to the employees of the Highway Department who took the time to help with the installation of the lift.
3. **Courthouse Security Employees:** The new security employees are in the process of being introduced to the operations of the Sheriff's Department. They have been involved with prisoner transport, book-in, radio communications, and will receive training and certification in defensive tactics.
4. **Squad Car Assigned To The Courthouse:** As part of Courthouse Security, Sheriff Talbert believes it would be advantageous to assign one of the Squad Cars to the Courthouse for security transportation of inmates.
5. **Loss Of Employees:** Sheriff Talbert reported that the Department has one nurse and one corrections officer that have left for other employment. That leaves the department with two Licensed Practical

Nurses. The Department does employ a part-time nurse who can fill in for vacations or illness. Sheriff Talbert will advertise the employment opportunities.

6. **Courthouse Security Equipment:** Sheriff Talbert will meet with Mr. Fross to determine the exact placement of the Security Equipment so that electrical work can begin. Additional cameras and monitors will be installed. The Sheriff's Department is in the process of preparing the security cards for the County Employees. Mr. Tribby will check into the system at the Courthouse that will enable the Maintenance Department to also make access cards.

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

Plan Commission Director Glen Boise submitted the following issues for Board information and approval:

1. **Proposed Zoning Ordinance:** The Plan Commission is beginning public comment and review of the proposed Zoning Ordinance at tonight's meeting. A copy of the proposed ordinance is available from the County's website.
2. **Unsafe Building Located In West Liberty:** Mr. Boise is in receipt of a letter from the Recycling Office to the owner of unsafe property located at 320 South County Road 1250 East (*please refer to page two, item one, "In The Matter Of Plan Commission Issues" of the Regular Meeting minutes dated June 18, 2007*). The letter informed the owner that the Recycling Office would remove the refrigerator and tires from the property.

#### **IN THE MATTER OF THE COUNTY HEALTH OFFICER:**

Health Department Director Kristine Conyers introduced the newly appointed County Health Officer, Dr. Don Zent, and asked for Certification from the Board of Commissioners. Dr. Zent commented that he was "honored to be chosen as Health Officer for the County". He is expected to begin his term August 1, 2007. A motion was made by Mr. Bagwell to certify the action of the Board of Health in appointing Dr. Zent as the County Health Officer, and authorize President Raver to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Trine and carried. The Board welcomed Dr. Zent.

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

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

1. **Demolition Of Community Corrections Offices:** Demolition of rooms in the Government Center set aside for the Community Corrections Department will begin today.
2. **Attempted Break-In:** Mr. Fross reported an attempted break-in at the Courthouse, early Saturday morning. Vandals broke the glass in one of the windows of the north side restroom, by the Voters Registration Office. They also broke the glass of the window in the door on the west side of the building that leads to the men's restroom, without gaining entry. This morning the Maintenance Department discovered that they also pried the north door of the Courthouse, but did not gain entry. That door will need to be replaced. The Thursday before the break-in, for security reasons, the Maintenance Department installed hasps on two windows in the area of the first floor restroom and that was what prevented entry. Kokomo Glass replaced the restroom windows on Saturday and will be here, today, to inspect the door and determine if it needs replacement. Security Officer Craig Trott suggests the installation of two more cameras on the roof of the Courthouse and two more cameras inside the rotunda. Another suggestion would be the installation of bars (color coated to blend into the exterior) on the first floor windows. The bars would still allow the windows to be opened. Mr. Fross will seek an estimate for the bars. Commissioner Bagwell encouraged Mr. Fross to meet with Deputy Trott and Sheriff Talbert to conduct a security sweep to identify possible points of entry, and secure those areas. Mr. Murrell will be in contact with Phil Thatcher of Miles & Finch, and will have him contact Mr. Fross concerning the attempted break-in.
3. **A T & T / PRI Installation At Courthouse:** A T & T informed Mr. Fross that they have scheduled three days for the installation of PRI equipment for the Courthouse, beginning July 31, 2007.

4. **McAllister Contract:** Attorney Murrell has received needed changes to the McAllister Contract for the generator at the New Emergency Tower. Mr. Fross chooses the one year option, but wants the contract to expire December 31, 2007 to reflect the calendar year. Mr. Murrell will contact McAllister to have that portion of the contract amended. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the Preventative Maintenance Contract with McAllister for the generator at the New Emergency tower, and authorize the President to sign on behalf of the Board of Commissioners.
5. **Bid For The Administration Center Roofing Project:** Mr. Fross reminded the Board of the following bids that were received for the Administration Center Roofing Project:

McGuff Roofing	\$158,150.00
Love Contracting	\$144,615.00
Indianapolis Roofing	\$216,900.00

Mr. James Hamilton of Butler Fairman & Seufert reviewed the bids and determined that the McGuff Roofing bid, without its #1 add-on, did not comply with the specifications for the project and, therefore, should be rejected as being non-responsive. Mr. Fross recommends that Love Contracting be awarded the project, in the amount of \$144,615.00. A motion was made by Mr. Trine as follows, "The Board now finds that in order for the bid of McGuff Roofing to be a responsive bid, McGuff's Note #1 add-on in the sum of \$33,345.00 must be added to its base price of \$124,500.00. That being the case, McGuff's total bid is \$158,150.00. The board further finds that the bid of Love Contractors in the sum of \$144,615.00 is the lowest responsive and responsible bid, and is therefore hereby accepted, subject to the terms and conditions of the Notice to Bidders and related bid documents." The motion was seconded by Mr. Bagwell and carried. A contract was included in the bid package and Mr. Murrell suggested that Mr. Fross determine the completion date. Mr. Fross will contact Love Contracting. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the contract with Love Contractors, authorize the President to sign on behalf of the Board of Commissioners, and direct Mr. Fross to determine the completion date. Due to the terms of the bid package, a Performance Bond and a Certificate of Liability Insurance are needed.

6. **Additional Appropriations Request:** Mr. Fross reminded the Board of Commissioners that an Additional Appropriations Request in the amount of \$30,000.00 has been prepared for the July Council meeting. This Cumulative Capital request is to build the Equipment line back up from the hot water heater replacement for Kinsey Youth Center, in the amount of \$22,750.00.

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

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

1. **PAC Committee Recommendation / Sheriff's Matron:** The PAC Committee is in receipt of a request from the Sheriff's Department to change the job title of one of the Matrons, to a Jail Lieutenant - Assistant Jail Commander, and decrease the salary from \$38,675.00 to \$36,000.00. That position is vacant at this time, and the State Statute that required two Matrons, has been changed. The PAC Committee gives the following recommendation:

"The PAC Committee recommends changing the salary to \$36,000.00 and changing the job title to Jail Lieutenant - Assistant Jail Commander.

The state statute concerning matron positions requires only one appointed matron per county, as opposed to years ago when the law required several matrons to man the female inmates. Now we have female Correction Officers. Also, the matron's salary was the same as the road deputies per state statute.

The Jail Lieutenant - Assistant Jail Commander would be second in command under Captain Vincent, helping supervise all the Correction Officers and all jail operations."

The Sheriff has requested this request be retro-active to April 26, 2007. A motion was made by Bagwell, seconded by Mr. Trine and carried to approve the PAC Committee Recommendation allowing one

Matron position to be changed to Jail Lieutenant - Assistant Jail Commander with a salary of \$36,000.00, retro-active to April 26, 2007.

2. **Increase In Mileage Reimbursement Of The County Travel Policy:** The PAC Committee has received requests to review the County Travel Policy's mileage reimbursement. The State's mileage rate is \$.40 per mile and the Federal rate is \$.48.5 per mile. After review, the Committee recommends the mileage reimbursement rate be increased from \$.34 per mile to \$.40 per mile. A motion was made by Mr. Trine to approve the PAC Committee's recommendation to increase the mileage reimbursement rate from \$.34 to \$.40 per mile. The motion was seconded by Mr. Bagwell and carried. Upon a request from the Auditor, the PAC Committee will review the current lodging reimbursement of the Travel Policy.
3. **Employee Life Option Insurance Package Presentation:** Ms. McKillip asked Mr. Doug Heath of Miles & Finch Insurance, to take the floor. Mr. Heath introduced Mr. Mark Hauser from Hauser & Associates Insurance Services, to speak concerning the Employee Life Option Insurance Package, available through payroll deduction. The Insurance Committee has reviewed this policy option, and unanimously recommended to bring it before the Board of Commissioners for their consideration. Mr. Hauser introduced this insurance package that issues a Whole Life Policy that continues with the employee when they leave the department. Mr. Hauser continued to explain key considerations of the policy, and that the rates are guaranteed. Employees will not be pressured to obtain the coverage, and open enrollment occurs once a year with no additions throughout the year. At the conclusion of the presentation and ensuing discussion, a motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to make the Employee Life Option Life Insurance Policy available to Howard County Employees, who are eligible for benefits, and make the policy available through payroll deduction.

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

Howard County Clerk Mona Myers submitted the following issues for Board information and approval:

1. **Change Of Precinct Document:** Because the City annexed an area contained in Precinct #3, the region defined by the annexation will need to be incorporated into the City's precinct #63. This action needs to be accomplished before the next presidential election in 2008. This document will not affect the November Mayoral election. A motion was made by Mr. Trine to approve the submitted document incorporating the region defined by the annexation from Precinct #3 to Precinct #63. In reading through the documents, an error was found. The motion died for lack of a second. Ms. Myers will amend the documents and re-submit them at the August 6<sup>th</sup> Commissioner meeting.
2. **Credit / Debit Counter-Top Swipe Machines:** Ms. Myers is looking at the possibility of installing swipe machines that will allow the payment of bonds, fines and fees with a credit or debit card. There is no cost to the County other than a 3% service fee. A dedicated phone line would be needed. Presently those types of payments are only available on-line. Information Systems Director Terry Tribby would like to review the information and Ms. Myers will give a copy to Mr. Murrell and the Board for their review.
3. **Document Storage Concerns:** The State requires seventy-five (75) years for the hard copy storage of some documents. Most other documents, presently being stored, can be scanned. The Clerk does have a Document Storage Fee Fund that she is trying to build up. Because Judges are becoming more aware and willing to use computer systems in the Courtroom, Ms. Myers would like to purchase a software system (about \$40,000.00) to enable the front-end scanning of documents. That is somewhere in the future. For the present, the shelves are almost filled and more room is needed. Ms. Myers and Mr. Fross will meet to determine how much additional storage space is needed, and the availability of several basement rooms in the Government Center.

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

Ms. Cheryl Sears, Director of the Local Coordinating Council, submitted copies of the Amended 2007 Budget and the Proposed 2008 Budget of the Mayor's Community Based Council on Substance Abuse. The LCC has approved the salary amendment of the 2007 budget, increasing the total budget from \$80,000.00 to \$120,000.00. This increase reflects an

increase in the Coordinator's hours from part-time to full-time, resulting in an increase in salary. Discussion ensued concerning the increase as well as internal administration issues, and the issuing of requested grants. At the conclusion of the discussion, Attorney Murrell informed the Board that he needed to review the most recent legislation concerning the role of the Board in reviewing Local Coordinating Council budgets. Commissioner Trine commented that he needs more time to review the situation. A motion was made by Mr. Trine to take the requested budget amendment under advisement. The motion was seconded by Mr. Bagwell and carried.

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

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

1. **Commissioners' Salary Claims:** The Salary, Hourly and Overtime claims payable July 20 and 27, 2007, in the amount of \$313,019.77 each, were approved on a motion made by Mr. Trine and seconded by Mr. Bagwell.
2. **Commissioners' Operating Claims:** Operating claims payable today, July 16, 2007, in the amount of \$399,752.09, were approved on a motion made by Mr. Bagwell and seconded by Mr. Trine.
3. **Treasurer's Monthly Report:** The Treasurer's Report for the month ending June 30, 2007, was accepted on a motion made by Mr. Trine and seconded by Mr. Bagwell.

#### **IN THE MATTER OF COMMUNITY CORRECTIONS DEPARTMENT ISSUES:**

Community Corrections Director Steve Maus presented the following issues for Commissioner information and approval:

1. **Vehicle Purchases:** Mr. Maus submitted requests to purchase two vehicles as replacements to two high mileage vehicles that are no longer under warranty. The two vehicles to be traded are a 2003 Crown Victoria and a 2002 Mercury Sable. Both replacement vehicles are 2006 models, low mileage, four cylinder used vehicles, one from Brad Howell Ford and one from Kokomo Auto World. After discussion concerning the quote process and the usage of the vehicles, Mr. Murrell advised the Board to treat these as two separate purchases. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to authorize the purchase of a 2006 Ford Fusion from Brad Howell Ford, trading in the 2003 Crown Victoria.

A motion was made by Mr. Bagwell to authorize the second and distinct purchase of the 2006 Ford Fusion from Kokomo Auto World, trading in the 2002 Mercury Sable. The motion was seconded by Mr. Trine and carried.

2. **New Equipment Added To Schedule 8 And Amendment To Home Tracking Contract:** Mr. Maus presented a New Equipment schedule to their BI Inc. Tracking System Contract. This schedule includes new cellular units for individuals that do not have a land line. A motion was made by Mr. Bagwell to approve the additional equipment listed on Schedule 8 to include cellular units, and to authorize President Raver to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Trine and carried.

Also included in this BI, Inc. contract is an amendment to include the two additional Exacutrak units that had been previously negotiated in the contract, but never listed. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve Amendment #1 to the BI, Inc. Contract for the two additional Exacutrak units, at no additional charge to the County, and authorize the President to sign on behalf of the Board of Commissioners.

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

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

1. **Memorandum Of Understanding:** This Memorandum Of Understanding (MOU) is between Howard County Board of Commissioners and the Indiana Department of Homeland Security, for the purpose of setting forth terms by which the State shall expend the 2006 Homeland Security Grant Funding on behalf

of the County. The funds, in the amount of \$90,000.00, will be used for a Public Health Training Project to train local public health professionals in emergency preparedness and homeland security. The Memorandum of Understanding for grant funding, in the amount of \$90,000.00, is approved on a motion made by Mr. Bagwell and seconded by Mr. Trine.

2. **Sprint/Nextel Rebanding Project Change Order:** Mr. Murrell is in receipt of a change order from Sprint/Nextel for the installation of Z-Tron consoles in the Dispatch area to utilize the upgraded replacement radios. This change order increases the project by \$19,000.00. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the change order for the Sprint/Nextel Rebanding Project.
3. **Invoice For Payment:** Mr. Murrell submits an invoice from attorney Brian Oaks for professional services rendered in the American Legion Post 6 tax appeal, in the amount of \$467.50. The invoice was approved for payment on a motion made by Mr. Trine and seconded by Mr. Bagwell.

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

1. **Claims Adjustment Report For The EMA Building:** Mr. Jim Hamilton of Butler Fairman & Seufert has reviewed and verified the Damage and Replacement Costs of the EMA Building, submitted by Selective Insurance Company (*please refer to page five, "In The Matter Of The Insurance Report Concerning The EMA Building Fire", of the Regular Meeting minutes dated June 18, 2007*). A motion was made by Mr. Bagwell to approve the Damage And Replacement Cost Estimate, and accept the proposed settlement payment from Selective Insurance Company. The motion was seconded by Mr. Trine and carried. Mr. Murrell will contact Mr. Thatcher from Miles and Finch and prepare written notification of approval.
2. **Commissioner Trine Issues:** Commissioner Trine reported to the Board that he visited offices in the Courthouse and met with employees to become acquainted with them and their duties.  
  
Mr. Trine received a complaint concerning the weeds at the property located on 150 West. When Mr. Trine visited the property, he did affirm the weeds were as high as the chain link fence. When he spoke to the resident about the problem, Mr. Trine was assured they would not need help and could address the problem themselves. The weeds were mown down the following day.  
  
Mr. Trine congratulated Mr. Murrell concerning the Keystone Award he received over the weekend, commenting that it was well deserved.
3. **Bovine Brucellosis and Tuberculosis Eradication Program Contract:** Mr. Raver submitted a letter received from the State Board of Animal Health. This letter confirms that the Board Of Animal Health will only request a contract with a County "as it becomes necessary to test cattle within that County for Tuberculosis or Brucellosis", instead of on an annual basis.
4. **Migrant Housing:** Mr. Raver visited Hainlen Orchard to view the progress of the migrant housing being constructed there. The septic is finished and the buildings are ready to be occupied. The old shower house is to be torn down the following week.
5. **Ratify Signature on Arch Grant Application:** Mr. Raver was contacted by Howard Haven Superintendent Kelly Spidell, concerning a needed Board signature to complete the Arch Grant Application. This application is needed to receive the Arch assistance for several County Home residents. A motion was made by Mr. Trine, seconded by Mr. Bagwell and carried to ratify Mr. Raver's signature on behalf of the Board of Commissioners, on the Arch Grant Application.

Concerning the offer of the Sheriff's Department and Kinsey Youth Center to provide meals for the Howard Haven residents, Ms. Spidell gratefully rejected the offer. Ms. Spidell would like to continue food preparation at Howard Haven to insure flexibility and a "home like" atmosphere for the residents. She would like to proceed with the purchase of a new stove.

Auto enthusiasts contacted Howard Haven concerning a "Parade of Antique Cars", and an ice cream social. This request was affirmed by Mr. Raver.

6. **Visit To Kokomo Academy:** Mr. Murrell will arrange a visit to Kokomo Academy for the Board of Commissioners and Criminal Justice Personnel, after the 2007/2008 Budget Hearing.
7. **2008 Budget Preparation:** Commissioner Raver distributed copies of the 2007 budgets for County General Commissioners Department (001-023), Cumulative Capital Fund (150) and the EDIT Fund (500). He, Mr. Bagwell and Mr. Trine took the opportunity to review figures and adjust budget needs to prepare a proposed budget for 2008.

There being no further business to come before the Board of Commissioners at this time, the meeting was adjourned at 11:35 a.m. on a motion made by Mr. Trine and seconded by Mr. Bagwell.

**HOWARD COUNTY BOARD OF COMMISSIONERS:**

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PAUL J. RAVEN, PRESIDENT

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BRADLEY J. BAGWELL, VICE PRESIDENT

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DAVID A. TRINE, MEMBER

ATTEST:

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ANN WELLS, AUDITOR

Howard County Commissioner Meeting July 16, 2007