

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING JULY 2, 2007

The Howard County Board of Commissioners met in Regular Session on Monday, July 2, 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 June 18, 2007 meeting, having been previously submitted and reviewed, were approved on a motion made by Mr. Trine and seconded by Mr. Bagwell.

IN THE MATTER OF HIGHWAY DEPARTMENT ISSUES:

In the absence of County Highway Superintendent / Engineer Ted Cain, the following issues were submitted by President Raver and Commissioner Bagwell for Board information and approval:

1. **Notice of Entry For Survey Or Investigation:** President Raver submitted letters from American StructurePoint, concerning the conducting of environmental surveys by Indiana Department of Revenue, of areas that are part of the US 31 Freeway Project. This project includes the identification and mapping of wetlands and waterways. Mr. Bagwell informed the Commissioners that Butler Fairman and Seufert have been in contact with Mr. Cain concerning plans for the upgrading of the roadway on Boulevard Street, between Goyer Road and the proposed interchange from two to four lanes.
2. **Cumulative Bridge Fund Hearing:** There will be a Public Hearing for the Highway's Cumulative Bridge Fund at the July 16, 2007 Commissioner Meeting at 8:30 a.m.
3. **U.S. 31 Freeway:** Mr. Dennis Faulkenberg and Ms. Laurie Maudlin, from the US 31 Coalition, have asked to be put on the Agenda for the August 20, 2007 meeting, to give an update on the progress of the US 31 Freeway Project.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

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

1. **Jail Population:** The current inmate population at the Criminal Justice Center is three hundred forty-one (341) inmates, with forty-eight (48) of those inmates being females. A large group was brought in from the drug raid. Sheriff Talbert will meet with Attorney Murrell to discuss several ACLU concerns.
2. **Lift For Garage:** The new vehicle lift for the County Highway Garage is being delivered later this week, and the electrical wires needed have been installed (*please refer to page one, item three, "In The Matter Of Sheriff Department Issues" of the Regular Meeting minutes dated June 18, 2007*).
3. **Rebanding Project:** Four hundred (400) new radios have been received as part of the Nextel Rebanding project. Mr. Tony Johnson, our representative from Integrity Communications, is sending the old equipment to Nextel.
4. **Ordinance No. 2007-BCCO-30:** Commissioner Bagwell submitted Ordinance No. 2007-BCCO-30, establishing Howard County Courthouse Security Rules. This Ordinance is a result of the work done by the Criminal Justice Coordinating Committee, concerning the new security equipment installed in the Courthouse. He explained several major points included in the Ordinance. At the conclusion of a time question and discussion, the Ordinance was approved on a motion made by Mr. Bagwell and seconded by Mr. Trine. This ordinance will become effective upon publication as required by law.

IN THE MATTER OF PLAN COMMISSION ISSUES:

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

1. **Ordinance No. 2007-BCCO-27:** This is an Ordinance amending Howard County Ordinance No. 1981-9 rezoning property located at 2722 East Boulevard from R-1 (Residential) to C-1 (Light Industrial). A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve Ordinance No. 2007-BCCO-27.
2. **Unsafe Building Near State Road 19:** Mr. Bagwell informed the Board and Mr. Boise that clean-up had begun on the property located at 300 South County Road 475 East (*please refer to page two, item four, "In The Matter of Plan Commission Issues", of the Regular Meeting minutes dated June 18, 2007*).

Due to a temporary power failure in the Kokomo Downtown area, the Regular Meeting is recessed at 8:50 a.m. and reconvened at 9:20 a.m. in the Commissioners Conference Room 220D, on the second floor of the Administration Center.

IN THE MATTER OF MAINTENANCE DEPARTMENT ISSUES:

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

1. **Quote Acceptance For The Community Corrections Office Renovation:** The quotes for the Community Corrections Office Renovation were opened at the June 18th meeting (*please refer to page three, item two, of the Regular Meeting minutes dated June 18, 2007*). The quote received from Hayes Brothers, in the amount of \$17,449.00 was withdrawn by Hayes Brothers and determined by the Board to be an incomplete bid and non-responsive quote. Pertaining to the quote received by Craftsman Builders, Mr. Murrell suggested that the Board of Commissioners set a completion date of ninety (90) days from the date of acceptance. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to accept the quote from Craftsman Builders as the only responsive quote, and set a completion date of ninety days from the date of acceptance.
2. **Cumulative Capital Fund Additional Appropriation Needed:** At their June, 2007 meeting, the Howard County Council approved an Additional Appropriations request for \$30,000.00 in line item 150-000-04018-00, Equipment Maintenance. Kinsey Youth Center had to replace a water heater, unexpectedly, and now Mr. Fross has need for another Additional Appropriation in the line item. A motion was made by Mr. Trine, seconded by Mr. Bagwell and carried to approve another Additional Appropriations request of \$30,000.00 in the Equipment Maintenance line, to be forwarded to the County Council.
3. **Howard Haven Storage Tank Removal:** The Howard County Council approved an Additional Appropriations request for \$10,600.00 in line item 04725.00, Building Repair, at the June, 2007 meeting. This money will be for the removal of the storage tank in the basement of Howard Haven, and subsequent wall repair. This project is moving forward.
4. **Proposed Van Repair:** Mr. Fross informed the Board of Commissioners of a need to repair a van that is rusted, and install seats in the van, or replace the vehicle, for about \$28,500.00. This vehicle is used to transport supplies for the Maintenance Department and Howard Haven. At the conclusion of ensuing discussion, it was the Board's consensus that if an additional vehicle is indeed needed, it would be best to replace it with an extended cab pick-up truck, suggesting that it only be used for hauling. Mr. Fross will evaluate the need and report to the Board of Commissioners.
5. **Receipt Of An Additional Roof Replacement Bid:** Auditor Wells submitted an Administration Roof Replacement Bid from Eastern Engineering. This bid was received June 26, 2007. The submission date for this project was at or before 4:00 p.m., June 15, 2007. Because this bid was received after the specified date of June 15, 2007, it was found to be non-responsive. A motion was made Mr. Bagwell, seconded by Mr. Trine and carried to reject the bid from Eastern Engineering and authorize the Auditor to

send it back with a letter of rejection. The bids that were received in a timely manner are still under advisement.

6. **Generator Contract With McAllister:** The Attorney's Office has been awaiting the acceptance of changes made to the contract with McAllister for the generator at the New Tower. Not all of the suggested changes have been accepted. A motion was made by Mr. Bagwell to continue the McAllister Contract until it has been successfully negotiated. The motion was seconded by Mr. Trine and carried.
7. **Replacement Of Oven At Howard Haven:** Howard Haven is in need of a new oven and they have requested to purchase a South Bend Oven for \$4,000.00. Commissioner Trine recommended that a smaller unit would be more appropriate for the County Home. Since the expected expense will be less than \$5,000.00, Mr. Trine will work with Superintendent Spidell to decide the appropriate model for the Home.
8. **Temporary Coroner Office:** Coroner Brad Bray asks permission to use a fourth floor office of the Administration Center (#440) until the remodeling of the Coroner's new office in the Government Center is completed. It was the consensus of the Board to allow the request.
9. **A T & T Contract:** A meeting was held between A T & T representatives and representatives of Howard County, concerning the contract for the new PRI lines for the County Courthouse (*please refer to page three, item eight of the Regular Meeting minutes dated June 18, 2007*). The parties are currently working on issues of correct line count, to be resolved before the contract can move forward. Mr. Murrell will continue to work with Ms. Argyris on the contract language.
10. **EMA Reconstruction:** President Raver distributed copies of an e-mail he received from former Commissioner Jim Ferguson, concerning suggestions for building structure alternatives. There will be a Building Committee meeting on Tuesday at 11:00 a.m. Commissioner Bagwell is the Board of Commissioners' representative and Richard Miller is the County Council representative.

IN THE MATTER OF PERSONNEL DEPARTMENT ISSUES:

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

1. **Ordinance No. 2007-BCCO-31:** Ms. McKillip distributed copies of the Military Family Leave Act. "Effective July 1, 2007, Indiana will require employers with 50 or more employees to provide leave for employees with family members ordered to active duty in the military. The Military Family Leave Act requires that employers provide employees who are the spouse, parent, Grandparent (s), or sibling of an individual ordered to active military duty with leave from work for ten working days each year." She continued to explain qualifications and definitions for the leave, as well as what may be required by the County, concerning the use of accrued leave. At the conclusion of discussion, a motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve Ordinance No. 2007-BCCO-31, an Ordinance of the Howard County Board of Commissioners adopting a revised County Personnel Policies Handbook, and to approve the change in the last paragraph of the Military Family Leave Act as follows: "Where the employee qualifies for and receives leave under the Act, **the employer shall require that the employee substitute any earned paid vacation leave, personal leave, or other paid leave for any part of the 10 days of leave permitted under the Act.**"
2. **Minimum Wage Increase:** Effective July 24, 2007 the minimum hourly wage amount increases to \$5.45; July 24, 2008 it increases to \$6.55, then to \$7.25 July 24, 2009. The Personnel Office will post the changes, and a free labor briefing seminar will be held September 27, 2007.
3. **Boston Mutual Insurance Company:** The Insurance Committee has met, and recommended allowing Mr. Lee Houser of Boston Mutual Insurance Company to speak with the Board of Commissioners concerning making available to the employees, a voluntary Whole Life Insurance Policy at a less expensive group rate. After ensuing discussion, it was the consensus of the Board to add Mr. Houser to the agenda of the July 16, 2007 meeting.

IN THE MATTER OF INFORMATION SYSTEMS DEPARTMENT ISSUES:

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

1. **Connectivity To The New Tower:** The wireless connection to the New E911 tower is now complete. Integrity Communications also has connectivity to the Tower to make any needed repairs or software changes. The present E911 server is old and will need replacement. Mr. Tribby assured the Commissioners that if the server does go down, radios will still operate. Integrity will prepare a quote for new server equipment. The work stations are also in need of replacement. Mr. Tribby will address replacement issues in 2008.
2. **Streaming Audio Usage In The Courthouse:** The Information Systems Department was made aware of a problem the Clerk was having while trying to run state application programs from the internet. When Mr. Tribby checked into the situation, he found that 80% of the internet capability was being used for streaming audio from individual work stations. Mr. Tribby was able to contact the individual users involved, and inform them that use of on-line radio stations continues to be an unacceptable application of the County's internet. The problem has been corrected.
3. **Routing Of Internet Traffic:** Mr. Tribby is looking into the possibility of running cable for increasing the bandwidth of internet capability, and still maintain cost effectiveness.
4. **Wireless Connectivity To Kinsey Youth Center:** Though the Kinsey Youth Center is connected to the Courthouse and the Administration Center, they are not yet on the wireless backbone. Mr. Tribby's office will be working on the wireless connectivity to the Kinsey Youth Center.

IN THE MATTER OF AN EMERGENCY WATER HEATER REPLACEMENT FOR KINSEY YOUTH CENTER:

Kinsey Youth Center Assistant Director Jeff Lipinski informed the Board of an emergency need to replace the water heater at Kinsey Youth Center (*please refer to page two, item two, "In The Matter Of Maintenance Department Issues" of these Regular Meeting minutes dated July 2, 2007*). Benchmark Mechanical, Inc. has been contacted and will replace the water heater at a cost of \$23,250.00, to be paid from the Equipment line for Maintenance in the Cumulative Capital Fund.

IN THE MATTER OF CLAIMS AND REPORTS:

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

1. **Commissioners' Salary Claims:** Salary, hourly and overtime claims payable July 6 and July 13, 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 in the amount of \$1,219,405.83, payable July 18, 2007, were approved as submitted on a motion made by Mr. Bagwell and seconded by Mr. Trine.
3. **Treasurer's Monthly Report:** The Treasurer's Monthly report for the month ending May 31, 2007, was accepted on a motion made by Mr. Bagwell and seconded by Mr. Trine.

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

County Attorney Larry Murrell submitted an invoice for payment from Barnes and Thornburg, LLP, in the amount of \$2,244.65, for services and charges pertaining to Delphi Bankruptcy matters. This invoice was approved for payment on a motion made by Mr. Trine and seconded by Mr. Bagwell.

IN THE MATTER OF COMMISSIONER ISSUES:

1. **Way Finder Task Force:** Commissioner Trine attended the Visitor's Bureau meeting concerning the Way Finder Task Force's Kokomo Downtown Signage project (*please refer to page four, "In The Matter Of The Visitor's Bureau", of the Regular Meeting minutes dated June 18, 2007*). Mr. Trine

advised the task force to do damage control concerning maintenance costs of the signs, etc. He reminded them there is really no "free money". The taxpayers will end up paying for some portion of the project.

2. **Johanning Civic Center Claim:** Commissioner Bagwell informed the Board that the Johanning Civic Center will be submitting a claim for the remainder of Edit funds budgeted for their use, in the amount of \$40,000.00. This money will be to address HVAC repairs, and roof repairs to fix leaks in the Hall of Fame and Pioneer rooms.
3. **Weights And Measurers Report:** President Raver submitted the Weights and Measures Report for the month of May 15, 2007 to June 15, 2007, and it was accepted by a motion made by Mr. Trine and seconded by Mr. Bagwell. Mr. Raver read the following comment from the report: "Our rejection rate for gasoline retailers has increased considerably from previous years as we seem to have a much larger incident of roll ups, (computer advancing price prior to delivery)."
4. **New Hire For The Coordinating Council:** The Kokomo/Howard County GCC hired a new Transportation Planner last week, Mr. Doug Eytcheson. Mr. Eytcheson is a Mechanical Engineer and a graduate from Purdue University who will begin his new position July 23rd.
5. **Taylor Regional Sewer District:** President Raver and the engineer working with the Taylor Regional Sewer District met with City Engineer Jeff Rudolph to discuss the sewer concerns of the Darrough Chapel area. It was their consensus that connecting that area to city water lines is the correct direction to proceed at this time.

There being no further business to come before the Board of Commissioners at this time, the meeting was adjourned at 11:17 a.m. on a motion made by Mr. Bagwell and seconded by Mr. Trine.

HOWARD COUNTY BOARD OF COMMISSIONERS:

PAUL J. RAVER, PRESIDENT

BRADLEY J. BAGWELL, VICE PRESIDENT

DAVID A. TRINE, MEMBER

ATTEST:

ANN WELLS, AUDITOR

Howard County Commissioner Meeting July 2, 2007