

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING MAY 7, 2007

The Howard County Board of Commissioners met in Regular Session on Monday, May 7, 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 called to order by Sheriff Marshall Talbert and conducted by President Raver.

IN THE MATTER OF THE APPROVAL OF MIINUTES:

The minutes of the April 16, 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:

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

1. **2006 Annual Operating Report:** Mr. Cain submitted copies of the 2006 Annual Operating Report for Board approval. All figures match with the Auditor's Office. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the 2006 Annual Operating Report and sign the report to be forwarded to the State Department and Purdue University.
2. **Ohio Street Bridge Project:** The Ohio Street Bridge Project has been approved by the State and Mr. Cain is submitting the Title page for the Commissioners' signature. Mr. Cain explained to the Board that because there is a gas line on the bridge that needs to be operational in the winter, and because the State will not let the project out until August, the project will not begin until spring of 2008. The Federal money will be encumbered to 2008. Mr. Bagwell expressed appreciation for the progress of the paving project.

IN THE MATTER OF RECOGNITION OF PERFORMANCE ABOVE AND BEYOND THE CALL OF DUTY:

President Raver asked Mr. Bagwell to comment and make presentations to members of the Sheriff's Department in recognition of performance above and beyond the call of duty. On Saturday, April 12, a citizen collapsed in the parking lot of the Criminal Justice Center and his heart stopped beating. Thanks to the bravery and life saving efforts of the following people named, he was resuscitated: Stephan McCoy, Joel Kellar, Denise Foster, Andrea Stonestreet and Sandra Perryman. Commissioner Bagwell called them up to the platform and they were presented with Certificates of Appreciation on behalf of the Board of Commissioners, fellow workers and citizens of Howard County. Applause was given and a picture was taken with the Board of Commissioners and the recipients. Sheriff Talbert informed the Board that Sandra Perryman is the EMS director of the Greentown Ambulance service, as well as a Corrections Officer. There are several officers who are EMT certified. Having those skills as a Corrections Officer, helps to lower liability at the Criminal Justice Center. He appreciates the efforts of those involved and commended them for their efforts.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

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

1. **Service Agreement For Pagers:** E911 Coordinator Tony Ramsey expressed a need to enter into a Short Messaging Service Agreement with Indiana Paging for one hundred thirty three (133) pagers for the Sheriff's Department. It would be a three year contract with a payment of \$13,259.57 annually. The contract is in the process of being negotiated and Mr. Murrell is awaiting the Provisions portion of the Agreement. This issue will be addressed at the May 21st meeting.
2. **HPL Contract:** Physicians Services for inmates is currently available through Health Professionals, LTD. It is time to renew the contract. Sheriff Talbert introduced Ms. Julie Paolillo, a representative of HPL, to address the Commissioners. HPL has provided inmate health care to Howard County since 2002. The Sheriff's Department and HPL would like to extend the contract for three years (to January 1, 2010)

with the first year experiencing no increase in costs, and a three percent (3%) cost increase in the second and third years. HPL offers a pharmacy mail order service as an addendum to the contract that can be added at any time. Sheriff Talbert explained that he has not made a decision concerning the pharmacy. He is happy with the current local pharmaceutical provider. Expense would be a determining factor and those figures are not yet final. After ensuing discussion, a motion was made by Mr. Bagwell to approve the contract for the extension of services with HPL, with an expiration date of 01/01/2010, subject to the Attorney's final review, and authorize the President to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Trine and carried.

3. **Swearing In Of New Sheriff's Deputy:** Sheriff Talbert introduced new recruit Michael Miller and Clerk Mona Myers. Ms. Myers proceeded to swear in Deputy Recruit Michael Miller. Mr. Miller then addressed the Board with information about himself and family, introducing his wife and mother who were both in attendance. He will be leaving for Academy July 2, 2007.
4. **Courthouse X-ray Machine:** The replacement keyboard for the new x-ray machine has been received. The security job position has been posted for the last ten days and the Sheriff will start the interview process soon.
5. **Loss Of Employees:** Sheriff Talbert reported that Deputy Mike Ogle, handler for the newest K-9, Kanto, will be deployed to Iraq for fourteen months. Officer Ogle has requested that his wife care for Kanto but Sheriff Talbert has not made a decision. He will contact the trainer at Vohne Liche Kennels for his advice concerning the K-9. The Department is also losing a Corrections Officer for fifteen months; a Sheriff's Deputy is currently on long term medical leave.
6. **Inmate Population:** The current jail population is three hundred thirty six (336) inmates.
7. **New Emergency Tower:** The radio system is now operating off the new emergency tower. There have been two storms, since the activation of the new tower, and the radio system has **not** experienced static or interruptions. There is still some fine tuning to be done to the system, but it is working well and reception is stronger in the Criminal Justice Center and throughout the County. Sheriff Talbert expressed appreciation to Commissioner Bagwell for his work on this project, and to the entire Board for "taking the bull by the horns and getting it fixed". Ms. Wells asked about how the tower would operate in the event of a loss of power, as experienced by the Z92.5 radio tower, this weekend. Sheriff Talbert and Commissioner Bagwell responded that the new emergency tower has an automatic switch over to the backup generator. Also, this tower is 340 feet high, affording us better coverage. Sheriff Talbert has received calls from City Officers and Fire Department officials recognizing the fact that the system is much improved.
8. **Prisoner Extradition Account:** Sheriff Talbert is concerned with the rising costs of fuel and what that will mean to the Return of Fugitive account. He will monitor that closely.

IN THE MATTER OF PLAN COMMISSION ISSUES:

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

1. **Case 4-CP-07:** One lot in Chestnut Hills Subdivision, located at 4504 West County Road 50 South was approved on a motion made by Mr. Bagwell and seconded by Mr. Trine.
2. **Ordinance No. 2007-BCCO-18:** This Ordinance is to rezone property located at 3532 East County Road 400 South from A-1 (Agricultural) to R-1 (Residential). This rezoning request meets with the approval of the Plan Commission. Ordinance No. 2007-BCCO-18 is approved on a motion made by Mr. Trine and seconded by Mr. Bagwell.
3. **Unsafe Buildings:** Now that Mr. Boise has a fully staffed office, the Plan Commission will have an opportunity to give more attention to the many unsafe building issues pending. Mr. Raver reminded Mr. Boise of the unsafe building issue in Phlox. Mr. Boise reminded him that the property also had health and general condition issues. Also mentioned was the property on 300 South 475 East, just west of State Road 19.

4. **Flood Mitigation Projects:** The excavation of the last property purchased with Flood Mitigation funds, located at 4089 South County Road 50 East, has been completed. Mr. Boise visited the property and verified that the grass planted last fall is growing and adequate for covering the property. Mr. Boise has asked that a final invoice be submitted. Concerning the Ridge Road properties, the Wildcat Creek Foundation is working with neighbors on preparing plans for the property.
5. **Darrough Chapel Project:** Mr. Boise reiterated several options presented at the April 16th meeting (*please refer to page five, item five, of the Regular Meeting minutes dated April 16, 2007*). While meeting with Kris Conyers and consultant John Caton, discussion ensued concerning reasons for the City to work with the County concerning tying in to the City's system. Currently, sewage is emptying directly into Wildcat Creek, just upstream of the water intake. The CSO Study reported that water going out of the City is just as dirty as the water coming into the City. If we are not able to work with the City, the only other option is to run a line from Darrough Chapel to Center, and tap into the Taylor Regional Sewer District, opening room for growth along the New US 31 Freeway corridor. There are currently no commitments. The committee would like to keep the costs as minimal as possible.

IN THE MATTER OF MAINTENANCE DEPARTMENT ISSUES:

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

1. **Fence At The New Tower Location:** Mr. Fross informed the Board that the fence around the new Emergency Tower will be installed sometime in the next ten to fourteen days.
2. **HVAC Problem At The Administration Center:** One of the two compressors (fifteen years old) in the penthouse of the Administration Center is no longer functioning. Commissioner Raver and Commissioner Trine gave permission to the Maintenance Department to order a replacement compressor, in the amount of \$14,019.85. The bill will show a refundable core charge of \$6,000.00. The air conditioning in the Administration Center will be shut off on Thursday, May 17th and Friday the 18th. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the authorization to purchase the compressor, to be paid for from the HVAC Project line item (150-000-04724-00).
3. **Administration Center and Howard Haven Roofing Project:** The Maintenance Department is ready to work with Mr. Murrell to re-bid the Administration Center and Howard Haven Roofing Project.
4. **Outstanding Contracts:** There are two outstanding contracts in the Maintenance Department. The first is the A T & T contract for the new Courthouse Centrex system (*please refer to page three, item one, "In The Matter Of Maintenance Department Issues", of the Regular Meeting minutes dated April 2, 2007*). We are still awaiting the final contract. There is also a contract pending with MacAllister Machinery Company for the generator located at the Emergency Tower. This contract is for inspections and service for three years, in the amount of \$1,222.00 annually. Mr. Murrell requested four changes and to date, the company has made two of the changes. A motion was made by Mr. Bagwell to approve the three year contract with MacAllister Machinery Company for the generator located at the new Emergency Tower, subject to Attorney approval, and authorize the President to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Trine and carried.

IN THE MATTER OF AN OFFICE CLOSING REQUEST FOR THE VETERANS SERVICE OFFICE:

Veterans Service Officer William Allen Polsgrove submitted a letter of request to the Board of Commissioners to close the County Veterans Service Office from Monday, June 4th through Thursday, June 7th, 2007, so that Mr. Polsgrove and his secretary Pam Cheek can attend the 62nd Annual IDVA County Service Officer Training Conference. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the request to close the County Veterans Service Office from June 4 - June 7, 2007 to allow Mr. Polsgrove and Ms. Cheek to attend the Annual Training Conference in Indianapolis.

Mr. Polsgrove also presented a letter from the American Legion, Department of Indiana Service Department, informing Mr. Polsgrove that he helped secure more than a million dollars in federal benefits for veterans in Howard County in the year 2006. Mr. Polsgrove was honored with a Certificate of Appreciation in the presence of 600 to 800 Legionnaires at The

American Legion Spring Conference, in April, and was one of fifteen service officers, out of ninety-two, to be honored. The Board congratulated Mr. Polsgrove.

IN THE MATTER OF INFORMATION SYSTEMS DEPARTMENT ISSUES:

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

1. **Access To Tower Software For E911 Department And Vendor:** Mr. Tribby will be working with Mr. Ramsey to be able to set up a wireless connection from Dispatch to the Emergency Tower and from Integrity Communications to the Tower, for repairs or reconfigurations needed. The Wireless network saves from having to run phone lines to the tower, making it speed conscious and cost effective.
2. **Business Association Agreement With Howard Regional:** The Agreement with Howard Regional Hospital for wireless connectivity for their ambulance service, is still pending (*please refer to page six, item two, "In The Matter Of Information Systems Department Issues" of the Regular Meeting minutes dated April 2, 2007*). Mr. Tribby informed the Board that connectivity has been completed at St. Joe Hospital and Howard Regional Hospital. The wireless capability for emergency personnel and public safety agencies, buildings, and vehicles, also acts as built in back up in the event the Emergency Tower is disabled, affording them direct access to Dispatch. The City is still having problems with their connectivity. The Information Systems Department is working on it.
3. **Wireless Connectivity To Johanning Civic Center:** Weather permitting, the wireless connectivity to Johanning Civic Center will be completed this week. This is the facility that will house various businesses and public service offices in the event of a disaster.
4. **Posting Election Results:** Up-to-date election results will be posted on the County's website, www.co.howard.in.us. The process has been tested and works well. President Raver called attention to the fact that one of the candidate's name, Ralph Baer, is misspelled. Mr. Tribby will correct the name before Tuesday. Mr. Tribby also informed the Board that there were 300,000 hits on the County's website, last month.

IN THE MATTER OF A KINSEY YOUTH CENTER FUND REQUEST:

Kinsey Youth Center Director Jan Weaver informed the Board of Commissioners of a need to replace the mixer of the main water source for Kinsey Youth Center. The funds need to be reimbursed and Ms. Weaver is requesting \$1,500.00 from the Cumulative Capital Fund. Discussion ensued concerning an amount to be placed in an Equipment Replacement line item of Cum Cap, to be used for all County buildings. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to request a line item in the Cumulative Capital Fund for Equipment Replacement, in the amount of \$30,000.00, to be used for all buildings (excluding the Highway building) and monitored by the Maintenance Department.

IN THE MATTER OF THE GPS MONITOR SERVICE AGREEMENT FOR COMMUNITY CORRECTIONS:

Community Corrections Director Steve Maus submitted a Service Agreement with BI Incorporated for twelve additional Executrak GPS tracking units. The Agreement has been reviewed by Attorney Murrell and is ready for approval. A motion was made by Mr. Bagwell to approve the Service Agreement with BI Incorporated for twelve additional tracking units, and authorize the President to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Trine and carried.

IN THE MATTER OF CLAIMS AND REPORTS:

The following claims and reports were submitted by Auditor Ann Wells for Commissioner information and approval:

1. **Commissioners' Salary Claims:** Salary, hourly and overtime claims payable May 11 and 18, 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 May 7, 2007, in the amount of \$387,585.05 were approved on a motion made by Mr. Trine and seconded by Mr. Bagwell.

3. **Annual Report Of Congressional, Common School, And Permanent Endowment Funds:** The Annual Report of Endowment Funds, with the year ending amount of \$22,477.77, is approved on a motion made by Mr. Bagwell and seconded by Mr. Trine, to be forwarded to the State of Indiana.

IN THE MATTER OF TOWNSHIP ASSISTANCE APPEAL:

A Township Assistance Appeal Hearing was conducted for an appeal submitted for Center Township citizen, Tina Pruitt. A motion was made by Mr. Trine to uphold the Denial of the Township Trustee. Mr. Bagwell seconded the motion and it carried.

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

County Attorney Larry Murrell submitted the following items for Commissioner information and approval:

1. **Keller & Heckman Invoice:** Mr. Murrell received an invoice from Keller & Heckman dated April 16, 2007, in the amount of \$1,715.00, for Board approval and to forward to Sprint Nextel for payment. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the invoice from Keller & Heckman, to be forwarded to Sprint Nextel for payment.
2. **Barnes & Thornburg Invoice:** An invoice was submitted from Barnes & Thornburg, for services rendered in Delphi Bankruptcy matters and ICRC and EEOC charges, in the amount of \$2,903.60. The invoice, in the amount of \$2,903.60, was approved on a motion made by Mr. Bagwell and seconded by Mr. Trine.
3. **Condemnation Of Former Denny's Property:** Howard Regional Hospital now holds the title to the former Denny's property. The case now moves to the damages phase, which will be determined by the Court. The Court has ordered mediation, and Howard Regional has asked that Mr. Murrell continue his involvement as the Board of Commissioners' representative. Mr. Murrell has no objection to being involved, and has signed a mediation letter, from the mediator, on behalf of the County. He asks the Board to confirm the mediation letter dated April 13, 2007, agreeing that Howard Regional pay all mediation fees, and to ratify his signature. Mr. Murrell's signature was ratified on a motion made by Mr. Trine and seconded by Mr. Bagwell.
4. **Fourth Amended Tolling Agreement:** Mr. Murrell presented the 4th Amended Tolling Agreement with Howard Regional Hospital, tolling and suspending the running of the statute of limitations through December 1, 2007. This is in reference to the issue of the Emergency Transport boundary lines. A motion was made by Mr. Bagwell to approve the 4th Amended Tolling Agreement with Howard Regional until December 1, 2007. The motion was seconded by Mr. Trine and carried.
5. **Resolution No. 2007-BCCR-12:** This is a resolution pertaining to the utility easement of Walnut Street, Buckeye Street, Sycamore Street, and Main Street, contiguous to the Public Square of the original plat of the City of Kokomo, Howard County, Indiana, originally requested by the City to dedicate an additional five feet as a utility easement for new lights around the Courthouse (*please refer to page four, item five, "In The Matter Of Maintenance Department Issues" of the Regular Meeting minutes dated April 16, 2007*). This agreement must be approved by the Board of Commissioners and the Kokomo City Board of Works. Mr. Murrell recommends that the Commissioners approve the agreement and forward it to the City Council. A motion was made by Mr. Bagwell to approve Resolution No. 2007-BCCR-12, a resolution pertaining to utility easement of Walnut, Buckeye, Sycamore and Main Streets, contiguous to the Public Square of the original plat of the City of Kokomo, Howard County, Indiana. The motion was seconded by Mr. Trine and carried. Mr. Murrell was directed to send a letter and the Resolution to City Engineer Cary Stranahan.

IN THE MATTER OF COMMISSIONER ISSUES:

1. **Progress Of The New Emergency Tower:** As reported earlier in the meeting, the new Emergency Tower is operational and working well. Radio transmissions during the storms, last weekend, were working well and received without incident. Mr. Bagwell explained how the transition was carried out and that we no longer need the tower leased through Pinnacle. A motion was made by Mr. Trine to

authorize Mr. Murrell to notify Pinnacle Towers Acq LLC that we no longer need tower services. The motion was seconded by Mr. Bagwell and carried.

2. **Annual Sheriff's Inspection And Meal:** Thursday, May 17, 2007, will be the Annual Inspection at the Criminal Justice Center. The Board of Commissioners, the Auditor and Treasurer, and members of the media are invited to attend the luncheon at 11:00 a.m. and the inspection at 1:00 p.m.
3. **City And County Veteran Service Office's Monthly Reports:** The monthly reports for the months of April and March, 2007, were received and accepted on a motion made by Mr. Bagwell and seconded by Mr. Trine.
4. **Weights And Measures Monthly Report:** The Weights & Measures Report for the Month of March 15 to April 15, 2007 was accepted on a motion made by Mr. Trine and seconded by Mr. Bagwell.
5. **Community Corrections Office Renovation:** Community Corrections Director Steve Maus submitted a Proposal with Hayes Brothers, for renovation work to the Community Corrections offices in the Government Center. The work includes removal of lock-up cells, creating an additional office, and moving a wall. The original contract was revised over the weekend and a final total is not available at this time. Carpeting replacement is a separate project. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the Proposal with Hayes Brothers for the renovation of the Community Corrections Offices in an amount not to exceed \$20,000.00, subject to the approval of Attorney Larry Murrell and Buildings and Grounds Supervisor Art Fross, of the Final Proposal.

There being no further business to come before the Board at this time, the meeting was adjourned at 10:40 a.m. on a motion made by Bagwell and seconded by Mr. Trine.

HOWARD COUNTY BOARD OF COMMISSIONERS:

PAUL J. RAVEN, PRESIDENT

BRADLEY J. BAGWELL, VICE PRESIDENT

DAVID A. TRINE, MEMBER

ATTEST:

ANN WELLS, AUDITOR

Howard County Commissioner Meeting May 7, 2007