

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING JUNE 18, 2007

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

The minutes of the June 4, 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 A REQUEST FOR ENCROACHMENT OF RIGHT-OF-WAY:

In the absence of Highway Supervisor / Engineer Ted Cain, President Raver submitted a message from Mr. Cain concerning the Request to Encroach a Right-Of-Way for purposes of a replacement Septic System at 782 South County Road 300 West (*please refer to item three, page one of the Regular Meeting minutes dated June 4, 2007*). Mr. Cain has reviewed the request and would have no problem approving it. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to grant permission to encroach in a Right-Of-Way to Mark and Nadine Pierson for the purpose of installing a Septic system on property located at 782 South County Road 300 West.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

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

1. **Nextel Rebanding Project Update:** Sheriff Talbert introduced Mr. Tony Johnson, from Integrity Communications & Electronics. Mr. Johnson reminded the Board that the Re-banding Project process started about one year ago. Though it may seem a very slow project, from our vantage point, Transition Manager Mark Suggs, from Washington, assures us that Howard County is "way ahead of the curve". Howard County has completed their portion of the project process. The majority of the replacement equipment will be in by the end of July. Eight frequencies are being replaced. Mr. Johnson will be at the Criminal Justice Center to reprogram the new radios to receive sixteen frequencies; eight old frequencies and eight replacement frequencies. When Nextel abandons the new frequencies, they will contact Mr. Johnson. He can then remove the frequencies that will no longer be used. One hundred (100) radios have already been programmed with the sixteen (16) channels. It is expected there will be no disruption of radio service. Sheriff Talbert commended Mr. Johnson for his work with the County; we are lucky to have him walking us through this project.

Concerning the New Emergency Tower, Mr. Johnson reported that there are two repeaters for fire paging, located at the City's tower by the Seashore. The County owns those repeaters and they should be moved out to the new Emergency Tower. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to direct Integrity Communications & Electronics to submit a quote to move the repeaters.

2. **Sheriff Department Interns:** Sheriff Talbert introduced Mr. John Spear and Mr. Adam Fisher, interns from Ivy Tech. Mr. Spear and Mr. Fisher are both interested in Law Enforcement / Patrol and they are working with Civil Process, tax warrants and ride-a-longs, as well as duties on the Correctional side of the Criminal Justice Center, and the Dispatch Center.
3. **New Lift Request For County Highway Garage:** Because of the fire at the EMA building, all vehicle repairs are being made at the County Highway's Garage. The Highway Garage does not have a Vehicle Lift and it's very difficult to repair brakes and tires using only floor jacks and jack stands. Sheriff Talbert and Highway Engineer/Supervisor Ted Cain have discussed the purchase of a lift, sharing the expense between the Sheriff and Highway Departments and leaving it in the Highway's Garage for their use after the EMA building has been reconstructed. Three quotes were obtained, the best quote being received from Indiana Automotive Equipment, in the amount of \$6,675.00. This lift can be delivered in fourteen (14) days. A motion was made by Mr. Bagwell to approve the purchase of a lift from Indiana

Automotive Equipment, in the amount of \$6,675.00, with the Sheriff and Highway Departments each paying 50% of the costs. The motion was seconded by Mr. Trine and carried.

4. **K-9 Kanto:** Kanto is being retrained, at this time, and will be back in operation in a few weeks, with new handler, Officer Paul Cherry.
5. **D.A.R.E. Instructors:** The two new D.A.R.E Instructors are Officer Jordan Buckley and Officer Steve Kline.
6. **Academy Graduate:** Deputy Gary Cook will be graduating the Police Academy on July 5th, 2007. Sheriff Talbert welcomes any Commissioner or Council Member who would like to attend. Interviews for New Deputy positions have been completed and Background checks are commencing.
7. **Courthouse Security Officers:** The two security officers for the Courthouse Security Equipment have been hired and will begin their jobs July 1st. They are Sonya Tsakonas, a former Kokomo City Police Officer, and Mark Clark, also a retired Kokomo Police Officer.
8. **Current Jail Population:** The current inmate population is three hundred twenty-nine (329), including forty-one (41) females.

IN THE MATTER OF PLAN COMMISSION ISSUES:

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

1. **Unsafe Building At West Liberty:** Mr. Boise informed the Board that the owner of the property located at 320 South County Road 1250 East, has been in touch with the Plan Commission Office. She had been in contact with the Fire Department to burn the remainder of the building, but when they went to the property, they found a refrigerator on the porch. She doesn't have any contact, locally, to remove the appliance and a farm trailer that she disclaims any knowledge of. Mr. Boise will contact the Solid Waste Department concerning disposal of the objects.
2. **Proposed Zoning Ordinance:** The proposed Howard County Ordinance process is now ready for public input. There will be an Open House on Monday, June 25, 2007 from 3:00 p.m. to 6:00 p.m. This open house is to provide a friendly environment in which to voice concerns. A draft of the Zoning Map is expected to be available for the meeting. Copies of the Ordinance are available for distribution and can also be accessed from the Internet.
3. **Baseball Park Lighting Complaints:** Complaints have been received by Commissioner Trine concerning the lighting of a baseball park in the vicinity of Dixon and Boulevard Roads. Mr. Boise is also in receipt of complaints of a light shining directly into a residential yard. Mr. Boise has access to a light meter and has asked the complainant to call him at home when the problem arises. Mr. Boise will visit the location and inspect the light at that time.
4. **Unsafe Building Near State Road 19:** Mr. Boise has visited the property located at 300 South County Road 475 East and talked with neighbors concerning the owner of the property (*please refer to page two, item two, "In The Matter Of Plan Commission Issues" of the Regular Meeting minutes dated May 21, 2007*). He was informed that the owner is elderly and not capable of cleaning and maintaining the property. The next step will be to contact the family for their help in cleaning the property. Commissioner Bagwell asked if there is any legal process available to the County to assist in the clean-up of the property. Mr. Boise responded that outside of a court process, there is no legal assistance. Mr. Boise plans to work with the Recycling Office to ascertain the scope of assistance their office can give.
5. **Darrough Chapel Sanitary Concerns:** The *ad hoc* committee for the Darrough Chapel Sewer concerns met last week and decided to go back to the City Wastewater Utility and Indiana-American Water Co., concerning the extension of their services to the Darrough Chapel area (*please refer to page two, item three, "In The Matter Of Plan Commission Issues" of the Regular Meeting minutes dated May 21, 2007*).

Concerning Taylor Regional Sewer District's difficulty in collecting monthly service fees, Attorney Murrell informed the Board that he has spoken with the District's attorney concerning this issue. The attorney has agreed to work with Mr. Russell Adair to help facilitate the collection of delinquent fees, equipping them to be in a position to incorporate the Darrough Chapel residents (*please refer to page six, "In The Matter Of County Sanitary Projects", of the Regular Meeting minutes dated June 4, 2007*).

IN THE MATTER OF MAINTENANCE DEPARTMENT ISSUES:

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

1. **Opening Of The Administration Center Roofing Project Bids:** The following bids were received and opened for the Administration Center Roofing Project as follows:

McGuff Roofing / Huntington, Indiana	\$124,500.00
Indianapolis Roofing And Sheet Metal	\$216,900.00
Love Contractors / Gaston, Indiana	\$144,615.00

A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to take the bids under advisement for review by Mr. Fross and Attorney Murrell.

2. **Opening Of The Community Corrections Office Remodeling Project Quotes:** Three Invitations to Quote were sent out by the Maintenance Department. The following Quotes were received for the Community Corrections Office Remodeling Project, and opened as follows:

Hayes Brothers	\$17,449.00	
Craftsmen Builders	\$17,700.00	Rms 106 & 108
	\$18,370.00	including Rm 208

The quotes were taken under advisement pending review by Mr. Fross and Mr. Murrell, on a motion made by Mr. Bagwell and seconded by Mr. Trine.

3. **Fence Surrounding The Emergency Tower:** The fence will be installed the end of this week or the beginning of next week.
4. **Adult Probation Office Remodeling Project:** The remodeling project for the Adult Probation offices in the Courthouse is near completion.
5. **Loss Of Electrical Power:** A loss of electrical power was experienced by the Courthouse over the weekend. The Maintenance Department was able to restore the phone system.
6. **Howard Haven Oven Repair:** The oven at the County Home is in need of repair. Parts have been ordered and the repair will be done by the Maintenance Department.
7. **Parking Lot Sealing Proposal:** Mr. Fross has a proposal from Jansen Paving for sealing the north parking lot of the Government Center, in the amount of \$895.00. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the proposal from Jansen Paving for the sealing of the north parking lot of the Government Center, in the amount of \$895.00, and authorize the President to sign on behalf of the Board of Commissioners.
8. **Additional Phone Lines For Howard Haven:** Currently Howard Haven has one land line and one cell phone line (there is an additional private line, paid for by the resident). Because DSL is not available in that area, their dial up Internet also uses their land line. They are requesting additional lines and Mr. Fross recommends adding two additional lines. Mr. Mark Zanoft from A T & T assured Mr. Fross that Howard Haven has capability for two lines. At the conclusion of ensuing discussion, Mr. Fross was authorized to pursue installation costs of two new phone lines for Howard Haven on a motion made by Mr. Bagwell and seconded by Mr. Trine.

9. **Meeting With A T & T:** The process of installing new lines at the Courthouse by signing a contract with A T & T, has taken a full year and is still pending. We are awaiting a finished contract from A T & T. Mr. Fross has arranged a meeting with A T & T representative Lorene Argyris for Tuesday, June 19, 2007, at noon. Mr. Fross has invited Mr. Tribby, Second Deputy Auditor Konny Zurcher, as well as the Board of Commissioners, to attend this meeting. They will be meeting in Commissioner Room 220D.

IN THE MATTER OF INFORMATION SYSTEMS DEPARTMENT ISSUES:

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

1. **Johanning Civic Center Wireless:** The Wireless connectivity to Johanning Civic Center has been completed, enabling them to be a part of the Disaster Preparedness Plan facility.
2. **Disaster Plan For Criminal Justice Agencies:** The State is directing local Criminal Justice Systems to write a Disaster Preparedness Plan. Howard County Judges Murray and Menges are a part of the State Committee that has a good working template in place, and have started working on the local plan for Howard County. Attorney Murrell would like to see the County bring all the individual agencies, and their plans, together, to coordinate a County wide effort.
3. **Protective Orders Project:** This mandated project was first presented to the Board of Commissioners at the April 2nd meeting (*please refer to page six, item three of the Regular Meeting minutes dated April 2, 2007*). Of the requested fifty-seven (57) new work stations (\$70,000.00) for the Courts, the State has approved the purchase of fifteen (15) new work stations for a total of \$17,000.00.

IN THE MATTER OF THE VISITOR'S BUREAU:

Ms. Peggy Hobson, Director of the Kokomo/Howard County Visitor's Bureau and Ms. Kim Lafollette, President of the Kokomo Downtown Association, were in attendance to inform the Board of Commissioners of the Way Finder Task Force. This Task Force was created from a need to improve the signage program to welcome and direct visitors and prospective investors to the Kokomo Downtown area. The program would consist of welcoming signage and signage to provide ease of navigation within the community. The Task Force consists of representatives of the City and County, and several non-profit organizations. Three companies have already been contacted for this project and Ms. Lafollette presented photos of signage these companies have provided to other counties and cities, as well as current Howard County and Kokomo signage. The size of the project necessitates progressing in phases. Financially, the task force is "identifying funding sources" and looking into the possibility of a Federal Transportation Enhancement Award. At this time the Task Force is not certain of the level of funding they will be asking the various organizations to contribute. If the Transportation Enhancement Award goes through, it would require an 80/20 match. The projected cost is \$180,000.00 - \$200,000.00. Discussion ensued and Ms. Hobson informed the Board that she also sits on the State's Signage Task Force Commission and she would have first hand knowledge of the State's regulations. Commissioner Bagwell suggested that exit signage would be as important as entrance signage.

IN THE MATTER OF THE KINSEY YOUTH CENTER FINGERPRINTING CONTRACT:

Kinsey Youth Center Director Jan Weaver submitted a contract with PrideRock Holding Co. for staff fingerprinting services (*please refer to page four, item one, "In The Matter Of Kinsey Youth Center Issues", of the Regular Meeting minutes dated May 21, 2007*). This contract, though previously discussed, was not previously reviewed by the County Attorney. A motion was made by Mr. Bagwell to approve the Contract with PrideRock Holding Co. for fingerprinting services pending the review of the contract by the County Attorney or the Assistant County Attorney, 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 APPLICATION PROCESS CLARIFICATION FOR HOWARD HAVEN:

Howard Haven Superintendent Kelly Spidell and Assistant Superintendent Linda Erb presented a request for clarification concerning the Applications for Residency at Howard Haven. Before the previous Superintendent, Mr. Jean Lushin, Center Township Trustee, helped to oversee the application process. Mr. Tolen changed the process during his tenure as Superintendent. Ms. Spidell spoke with Trustee Lushin and he is willing to be a part of the process again, helping residents of all the townships. He is also willing to help residents with prescription costs. Ms. Spidell would like the Board of Commissioners to direct her as to their preference. Historically, the Trustee's office made recommendations for

Application and helped prepare applications and doctor's information. If agreed to by Ms. Spidell, it was the consensus of the Board to allow Center Township Trustee's Office to assist with the Resident Application process.

Concerning the need for additional funds in their part-time and over-time line items, Ms. Spidell was referred to the Auditor's office for the proper procedure of making additional requests to the County Council.

IN THE MATTER OF THE INSURANCE REPORT CONCERNING THE EMA BUILDING FIRE:

Mr. Phil Thatcher from Miles & Finch Insurance Agency was in attendance to present a report on the status of the Claims Adjustment for the Emergency Management Agency Building that was destroyed by fire. Mr. Thatcher submitted copies of a report by Claims Adjuster Gary Jakubowski of Selective Insurance Company of America, the company that holds the policy for Howard County. The report lists the scope of damages and a breakdown of replacement costs. The total replacement costs for all the storage garages, the five-bay garages for equipment and vehicles, the mobile trailer storage building, as well as half of the office building and the restoration of the other half of the building, are as follows:

\$498,701.86	Replacement Cost Damages
<u>\$ 62,255.95</u>	Recoverable Depreciation (12.5%)
\$436,445.91	Actual Cash Value Damages
\$ 2,500.00	Deductible / NA because of Disappearing Deductible in Policy
<u>\$436,445.91</u>	Actual Cash Value Claim

Mr. Thatcher explained the costs and proceeded to remind the Board of the extra coverage in their policy as follows:

Endorsements to the policy for Disappearing Deductible and Extra Expense costs up to \$250,000.00 including but not limited to:

- Storage Rental Facilities
- Engineering Costs
- Architectural Costs
- Permits and Building Code upgrades
- State and Federal Agency approval
- Outdoor Trees, Shrubs and Plants

Mr. Thatcher would like the Board of Commissioners to verify the loss statement and estimated replacement costs listed in the report, as the next step in the process. At this time, Attorney Murrell informed the Board that he has spoken with Jim Hamilton of Butler Fairman & Seufert for his possible input and guidance through process. Discussion ensued concerning rental of storage facilities, the City's Travelers Insurance and the City's involvement, and the use of Butler, Fairman and Seufert to verify the local estimated costs.

A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to authorize the services of Mr. Jim Hamilton of Butler Fairman and Seufert, to verify the loss statement and estimated replacement costs report, and guide the Board of Commissioners through this process.

Mr. Murrell will contact Mr. Hamilton and give him Mr. Thatcher's contact information. A committee will work together, including Mr. Fross, Mr. Larry Smith, Mr. Ted Cain, Commissioner Bagwell, and a Council Representative chosen by the Council.

Mr. Murrell commended Mr. Thatcher for his service to Howard County and the Board of Commissioners, and how he's overseen insurance policies and made sure adequate coverage has been given.

IN THE MATTER OF CLAIMS AND REPORTS:

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

1. **Commissioners' Salary Claims:** Salary, hourly and overtime claims payable June 22 and June 28, 2007, in the amount of \$313,019.77 each, were approved on a motion made by Mr. Trine and seconded by Mr. Bagwell.

2. **Commissioner Operating Claims:** Operating claims payable June 18, 2007, in the amount of \$847,376.84, were approved on a motion made by Mr. Bagwell and seconded by Mr. Trine.

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

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

1. **Barnes & Thornburg Invoice:** An invoice was received for payment from Barnes & Thornburg for services rendered for Delphi Bankruptcy Matters, for the period ending April 30, 2007, and Neilander ICRC charge, in the total amount of \$1,199.50. The invoice of Barnes & Thornburg, in the amount of \$1,199.50 was approved for payment on a motion made by Mr. Bagwell and seconded by Mr. Trine.
2. **Re-signing of 2005 Sub-Grant Agreement:** Prompted by an e-mail request from Homeland Security for the re-signing of the Buffer Zone Protection Program Sub-Grant Agreement allowing new equipment for the Sheriff's Department, Mr. Bagwell made a motion to authorize the signatures for the 2005 Sub Grant, as requested through an e-mail from Homeland Security. The motion was seconded by Mr. Trine and carried.
3. **Contract With PrideRock Holding Company, Inc.:** Mr. Murrell was able to quickly review the proposed contract with PrideRock Holding Co., for staff fingerprinting at the Kinsey Youth Center (*please refer to page four, "In The Matter Of The Kinsey Youth Center Fingerprinting Contract", of these minutes*). He did make some changes and additions on pages 2, 4, 7, 8, and 9 and forwarded the contract to Mr. Raver for his signature.
4. **Pending Contracts:** Mr. Murrell informed the Board of the following contracts pending:

A T & T	Courthouse Phone System Update
Dept. of Homeland Security	Health Department
E-911 Interpreters	Language Line Interpreters / E911
MacAllister Machinery Co.	Generator Contract

IN THE MATTER OF COMMISSIONER ISSUES:

1. **Soil & Water Meeting Minutes:** Minutes of the Soil & Water Supervisors' Meeting were submitted, and will be on file in the Auditor's Office.
2. **Criminal Justice Coordinating Committee Meeting:** The meeting of the CJCC will be Tuesday at 4:00 p.m. The first part of the meeting will be an Executive Session and the remaining portion will be an open session. DLZ will be there with their projections.

There being no further business to come before the Board of Commissioners at this time, the meeting was adjourned at 10:50 a.m. on a motion made by Mr. Bagwell and seconded by Mr. Trine.

HOWARD COUNTY BOARD OF COMMISSIONERS:

PAUL J. RAVEN, PRESIDENT

BRADLEY J. BABWELL, VICE PRESIDENT

DAVID A. TRINE, MEMBER

ATTEST:

ANN WELLS, AUDITOR

Howard County Commissioner Meeting June 18, 2007