

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING SEPTEMBER 4, 2007

The Howard County Board of Commissioners met in Regular Session on Tuesday, September 4, 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 August 20, 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 Engineer / Supervisor Ted Cain submitted the following issues for Board information and approval:

1. **Notice To Bidders:** A bid package was submitted for the proposed purchase of a new Motor Grader for the Highway Department (*please refer to page one, item one, "In The Matter Of Highway Department Issues", of the Regular Meeting minutes dated August 20, 2007*). Attorney Murrell prepared the package and renewed the specifications. Mr. Cain would like to open the bids on October 1st, and have purchased and received the grader by December of this year. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the Bid Package for the purchase of a Motor Grader. All bids must be received before 8:30 a.m., October 1, 2007, to be opened at 9:00 a.m. on Monday, October 1, 2007.
2. **Engineering Services Agreement With Butler Fairman & Seufert:** At the August 20th meeting, the Engineering Services Agreement with Butler Fairman & Seufert was taken under advisement to allow Mr. Murrell to review the new State selection procedures for engineering services (*please refer to page one, item two, "In The Matter Of Highway Department Issues" of the Regular Meeting minutes dated August 20, 2007*). Mr. Murrell has reviewed the new guidelines that state that as of March 30, 2007, INDOT adopted new regulations based on Federal Regulations that if a service will be paid for by Federal Funds, the Federal guidelines must be followed. Those guidelines specify the bidding process, previously not required for services. Mr. Murrell confirmed that a resolution was passed December 18, 2006, naming Butler Fairman & Seufert as the Engineer for any projects relating to the extension of Howard County roads to the US 31 Freeway. This was well before the INDOT regulations took effect. Consequently, the new selection procedures do not apply to this contract. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the consulting services of Butler Fairman & Seufert for the engineering work on Boulevard between Goyer Road and the new US 31 Freeway Interchange.
3. **Release Of Cashier's Check In Lieu Of Maintenance Bond:** The streets of Majestic Manor Subdivision have been inspected and approved by Mr. Cain. The cashier's check in the amount of \$7,230.00 the County has been holding, in lieu of a three year Maintenance Bond, can now be released. Mr. Cain would like to request an amount of \$50.00 from the owner to reface the faded street signs, before releasing the check. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to release and sign the cashier's check back to Elma and Jim Brown, and request an amount of \$50.00 for the re-facing of the street signs.
4. **Fishing And Jumping From County Bridges:** Sheriff Talbert informed Mr. Cain and the Board of Commissioners of a complaint he took regarding fishing from a County bridge at 50 North 750 East, as well as a complaint of children jumping from a bridge located at 500 East. Sheriff Talbert questioned if there is an Ordinance prohibiting fishing from County bridges. If there is an Ordinance, can signs be posted where wintertime "Ice" signs are located? Attorney Murrell confirmed that the Ordinance only prohibits "diving from all County bridges", but can be amended to include fishing. Sheriff Talbert reminded the Board that this is a safety issue: there are plenty of "safe" fishing locations. At the conclusion of ensuing discussion, a motion was made by Mr. Bagwell to authorize Attorney Larry

Murrell to review the current Ordinance and prepare an amended Ordinance to include the prohibition of fishing and diving/jumping from all County Bridges. The motion was seconded by Mr. Trine and carried.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

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

1. **DOC Reimbursement Check:** A check from the Indiana Department of Corrections, in the amount of \$26,145.00, was presented to Auditor Wells to be received into the County's funds.
2. **Current Jail Population:** The current inmate population at the Criminal Justice Center is three hundred forty-eight (348) with fifty-three (53) being females. He reminded the Board that the jail only has one female pod and they have been consistently housing fifty plus female inmates.
3. **New Sheriff Vehicles:** The six new department vehicles are in Indianapolis, moving back to Kokomo. They will be in service soon.
4. **American Community Survey:** Sheriff Talbert's office was informed by the United States Census Bureau that the Howard County Criminal Justice Center has been selected to be a part of the American Community Survey. Interviews will have to be completed by September 14, 2007. Sheriff Talbert is not familiar with this survey and asked Mr. Murrell to review the materials and advise him.
5. **Resignation Of E911 Dispatcher:** Sheriff Talbert informed the Board that one of his E-911 Dispatchers has accepted a job with the Community Corrections Department. The job change was monetarily motivated, and he would like the Board of Commissioners to remember that because of the present pay scale, it is difficult to find skilled dispatchers who are called upon to make life and death decisions as a part of their job responsibility.

IN THE MATTER OF PLAN COMMISSION DEPARTMENT:

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

1. **Case 10-CP-07:** One lot in Nixon Subdivision, located at 2832 East Boulevard, is approved on a motion made by Mr. Bagwell and seconded by Mr. Trine.
2. **Ordinance No. 2007-BCCO-37:** This request to rezone property located at 7342 East 00 North South, Greentown, Indiana from A-1 (Agriculture) to B-2 (General Business) received an unfavorable recommendation from the Plan Commission. The owner of this property would like to expand his plumbing operation to include a Hardware Store. Although parties involved were contacted by letter that an unfavorable recommendation would be forwarded to the Board of Commissioners, this issue was not advertised on the Agenda and there was a question of the definition of "proper notice", under the current State Statute. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to take this Ordinance under advisement to allow Mr. Murrell to review and clarify the "proper notice" contained in the Statute.
3. **Unsafe Property In West Liberty:** The clean-up of the property located at 320 South County Road 1250 East is almost complete. An abandoned wagon is still on the property and Mr. Boise will contact Trustee Steve Carpenter to remove the wagon. Once that has been completed, the Fire Department can be contacted to do a controlled burn to the remainder of the structure.
4. **Unsafe Property South Of Center:** Mr. Boise has sent a letter to the owners of property located at 3662 South County Road 350 East to remove the partially burned structure.
5. **Complaint Of Waste Runoff From Horse Farm:** Mr. Trine informed Mr. Boise of a complaint he received concerning waste from a horse farm, floating into a neighbor's yard and pool area, located at 6503 West County Road 90 South. Mr. Trine visited the location the day after a rain, and confirmed the situation. Mr. Boise informed the Board that there have been previous complaints at this location. Because this involves large concentrations of animals and the subsequent health hazards, those

complaints have been forwarded to IDEM. The Plan Commission office will contact IDEM regarding this situation.

6. **Request To Review Speed Limit:** Mr. Bagwell forwarded a request to review the speed limit on County Road 600 East between Highway 22 and 50 North, Cloverdale Subdivision. Mr. Boise stated that the process will begin with a qualified traffic count. Mr. Bagwell asked Sheriff Talbert to send a patrol vehicle to help monitor the speed limit.

IN THE MATTER OF MAINTENANCE DEPARTMENT ISSUES:

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

1. **Courthouse Cameras:** The additional cameras and recording equipment needed for Security will be arriving by September 15th.
2. **Criminal Justice Center Overhead Door:** The east side overhead door ordered for the Criminal Justice Center will be installed Tuesday and Thursday of this week.
3. **Government Center Remodel:** The construction phase of the remodeling of the Community Corrections offices is completed and the claims have been paid. The painting and carpeting phase is ready to begin.
4. **Administration Center Roofing Project:** Except for the eastside stainless steel cap, the re-roofing of the Administration Center is completed.
5. **Howard Haven Storage Tank:** The removal of the storage tank at Howard Haven is completed. The storage tank was larger than expected; twenty feet instead of the expected six feet. Pickering Excavation will be starting the cement project soon.
6. **Courthouse Trash Removal:** The Maintenance Department began its own trash removal this morning.
7. **A T & T:** Neither Mr. Fross or Mr. Murrell has received the completed A T & T Centrex / PRI Contract. A bill for the installation of the PRI lines has been received but payment is being withheld until a completed contract has been submitted and approved.
8. **Thanks From Sheriff Talbert:** Sheriff Talbert expressed appreciation to Mr. Fross and Diane Donnell for their work in making the Employee ID badges in such a timely manner.

IN THE MATTER OF PERSONNEL DEPARTMENT ISSUES:

Personnel Director Wanda McKillip submitted the following issues for Commissioners' information and approval:

1. **Deferred Compensation Account Review:** A representative from the Deferred Compensation Program, Hoosier Start - Great West Retirement, will be in Howard County on Tuesday, September 11th and Thursday, September 13th to meet with interested employees who would like to review their Deferred Compensation accounts.
2. **Employee Life Option Insurance Package:** Ms. McKillip reported that close to 65% of Howard County Employees attended the Employee Life Option Insurance Package meetings, sponsored by Boston Mutual Life Insurance Company. The following employees were recipients of the drawing that was held for five (5) Sony Walkmans and the grand prize of a Dell Computer:

Paige Kaufman
Eric High
John Hatton

Jody Buckley
Rita Conner
Shirley McCoy (Dell Computer)

About 30 % of those who attended the meetings signed up for the insurance package.

3. **PAC Committee Salary Recommendations:** 2008 Salary Recommendations from the PAC Committee were distributed to the Board of Commissioners at the August 20th meeting. The Board reviewed those requests, line by line, with the intention of putting employee concerns to the forefront of the 2008 budget. The Board was reminded that requests for departments whose increases fall under the New Jail COIT Tax will need to be addressed in January, after the COIT money has been received.
4. **Wage Committee Request:** Ms. McKillip would like to request, again, the formation of a Wage Committee, within the PAC Committee, to review job duties for all county workers, and make salary recommendations. The Board of Commissioners will consider the request.

IN THE MATTER OF INFORMATION SYSTEMS DEPARTMENT ISSUES:

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

1. **Digital Recording Equipment For Budget Hearings:** Mr. Tribby pointed out the computer equipment located on the east side of the room and explained that it was to record the upcoming 2008 Budget Session on Wednesday, September 5th. The computer located on the west side of the Hearing room has been corrupted. That computer is scheduled to be replaced.
2. **Doxpop Request:** Last Friday, Mr. Tribby received a request from the Drug Task Force for access into Court Records. They are located in a building that is already on the County's network so they access the Court's records directly. Typically there is a user fee associated with this request, but Doxpop has allowed us, through the Sheriff's Department account, to have unlimited access, giving us the ability to add the Drug Task Force members to the account at no extra charge.
3. **Plan Commission On County Network:** Mr. Tribby is currently working with the City to give the Plan Commission access to the County's Network for GIS applications. Plan Commission maps for the proposed Zoning Ordinance are now located on the County's Website.
4. **Kudos Received For Mr. Tribby And Staff:** Mr. Trine passed along kudos for Mr. Tribby and his department from Mr. Jonathan Perez. During a meeting in Congressman Burton's office, one of his staff members informed Mr. Trine that he had worked with Mr. Tribby, in the past, and complemented his work saying that Howard County is light years ahead of many other Counties in the State of Indiana.

IN THE MATTER OF THE ADDENDUM FOR THE AD VALOREM CONTRACT:

At the March 19, 2007 Commissioner Meeting, County Assessor Jamie Shepherd submitted an Addendum to the 2006 Annual Adjustment Contract with Ad Valorem (*please refer to page three, "In The Matter Of The 2006 Annual Adjustment Contract For Reassessment", of the Regular Meeting Minutes dated March 19, 2007*). The purpose of the Addendum was to provide additional assistance with the large amount of assessment appeals (900 under the original deadline). Since that approval, the State Legislature has extended the filing deadline, causing an additional 450 appeals to be filed. Ms. Shepherd now brings a second addendum to the original 2006 Ad Valorem Contract, for an additional amount of \$10,000.00. Also a part of the Addendum is a specified number of formal hearings and number of days for the hearings. This additional Addendum was approved on a motion made by Mr. Trine and seconded by Mr. Bagwell.

IN THE MATTER OF E-911 DEPARTMENT ISSUES:

E-911 Coordinator Tony Ramsey submitted the following issues for Commissioners' information and approval:

1. **Quotes For Dispatch Consoles:** Mr. Ramsey submitted the following quotes for new Dispatch Consoles:

Watson Dispatch	\$136,245.69
Innovant Group	\$ 77,816.42
Xybix Systems Inc.	\$ 74,808.00

Each of these quotes has been reviewed, and Counties currently using the equipment have been visited. Mr. Ramsey recommends accepting the quote from Xybix Systems, Inc. in the amount of \$74,808.00. A

motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to accept the quote from Xybix Systems, Inc. in the amount of \$74,808.00 as the lowest and most responsive bid.

2. **Resolution No. 2007-BCCR-23 - Transfers:** Resolution No. 2007-BCCR-23 - Transfers was approved on a motion made by Mr. Bagwell, seconded by Mr. Trine and carried as follows:

	Transfer From: To:		Amount Requested:	Allowed:
<u>145</u>	<u>E911 Services Fund</u>			
04720.00	Equipment	01125.00 Overtime	\$ 10,000.00	\$ 10,000.00
04720.00	Equipment	02330.00 Clothing Allowance	\$ 1,000.00	\$ 1,000.00

IN THE MATTER OF CLAIMS AND REPORTS:

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

1. **Commissioners' Salary Claims:** The Salary, Hourly and Overtime claims payable September 7 and September 14, 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:** The Operating Claims payable September 4, 2007, in the amount of \$443,339.44, were approved on a motion made by Mr. Trine and seconded by Mr. Bagwell.
3. **Amend 2007 Holiday Schedule:** The current Holiday Schedule does not include December 31st as a holiday. December 31, 2007 is a Monday and January 1st 2008 is a holiday (Tuesday); the courts need to know if the Courthouse will be opened that day, so they can schedule cases. In the year 2006 the Commissioners approved two extra holidays, a Haynes Day and an Apperson Day (in lieu of the usual one extra holiday, Haynes-Apperson Day). Also, Mr. Raver suggests that a Special Session be scheduled for December 28th for re-organization, insurance matters, and necessary business, only. A motion was made by Mr. Bagwell to amend the 2007 Holiday Schedule to include an Apperson Day on Monday, December 31, 2007, and to call a Special Session of the Board of Commissioners for Monday, December 28, 2007, for the purpose of re-organization, Insurance matters, and necessary business. The motion was seconded by Mr. Trine and carried.

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

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

1. **Dimensions Agreement:** Mr. Murrell submitted an Addendum with Dimensions Architectural Firm for the schematic drawings for the EMA Reconstruction (*please refer to page seven, item two, "In The Matter Of County Attorney Issues", of the Regular Meeting minutes dated August 6, 2007*). Mr. Murrell also suggested that the Board appoint one Commissioner to be the main contact, as part of the contract. A motion was made by Mr. Trine to approve the Addendum to the Dimensions Agreement, and to appoint Mr. Bagwell as the main contact person. The motion was seconded by Mr. Bagwell and carried.
2. **Lease With Button Motors:** EMA Director Larry Smith has made arrangements with Don Button of Button Motors, to use the former Button Motors building located on Union Street to house the EMA vehicles during the reconstruction of the EMA Buildings. Mr. Button is preparing a Lease Agreement allowing the County to lease the building on a monthly basis. Mr. Smith would like to use the building as quickly as possible. Mr. Murrell does not yet have the lease and he suggests that the Board give Mr. Raver authority to sign the lease, when it is received. His signature can then be confirmed by the Board at their next meeting. A motion was made by Mr. Trine, seconded by Mr. Bagwell and carried to approve the lease with Button Motors for use of the buildings located on Union Street, subject to the approval of the County Attorney, and authorize Mr. Raver to sign the agreement on behalf of the Board of Commissioners.
3. **FSSA Contract For Residential Care Assistance Program:** Mr. Murrell is in receipt of the contract for Residential Care Assistance Program from the Family and Social Services Association. This agreement

is for the ARCH assistance payments for qualified residents of the County Home (Howard Haven). The effective dates are July 1, 2007 - June 30, 2009. Mr. Murrell suggests that Howard Haven Superintendent Kelly Spidell be given a copy of the contract, as well as 2nd Deputy Auditor Delmo Lynch, who helps keep the Arch payment records. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the contract with the Family Social Services Association with reference to the ARCH payments for residents of Howard Haven.

4. **Butler Fairman & Seufert Invoice:** Mr. Murrell submitted an invoice from Butler Fairman & Seufert for consultation services rendered concerning the EMA fire loss. This invoice needs to be sent to the insurance company. A motion was made by Mr. Bagwell to approve the Butler Fairman Seufert invoice and direct the Emergency Management Office to forward the invoice to Selective Insurance for payment.
5. **National Census:** Earlier in the meeting, Sheriff Talbert submitted a letter he received from the US Census Bureau, and asked Mr. Murrell to review the paperwork (*please refer to page two, item four, "In The Matter Of Sheriff Department Issues" of these Regular Meeting minutes*). Mr. Murrell reported to Sheriff Talbert and the Board that this is a National Census for inspection of General Quarters (any confinement facility in the United States). Sheriff Talbert needs to contact their field office immediately to schedule an appointment so they can begin their work.

IN THE MATTER OF COMMISSIONER ISSUES:

1. **Continental Steel Site Meeting:** Mr. Trine met with Congressman Donnelly and Representative Burton concerning the Continental Steel site. Mr. Trine reported that the meeting went well.

There being no further business to come before the Board of Commissioners, at this time, the meeting was adjourned at 10:58 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. BAGWELL, VICE PRESIDENT

DAVID A. TRINE, MEMBER

ATTEST:

ANN WELLS, AUDITOR

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