

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING FEBRUARY 15, 2010

The Howard County Board of Commissioners met in Regular Session on Monday, February 15, 2010, at 8:30 a.m. in Hearing Room 338 of the Administration Center. Those in attendance included President David Trine, Vice President William Thompson and Member Tyler Moore. Also in attendance were County Attorney Larry Murrell and Auditor Ann Wells.

The meeting was called to order by Sheriff Talbert and conducted by President Trine. Commissioner Moore led in the Pledge of Allegiance.

IN THE MATTER OF APPROVAL OF MINUTES:

The minutes of the Regular meeting dated February 1, 2010, having been previously submitted and reviewed, were approved on a motion made by Mr. Moore and seconded by Mr. Thompson.

The minutes of the February 4, 2010 Administrative Meeting were submitted and reviewed. A motion was made by Mr. Moore to approve the minutes of the February 4, 2010 Administrative Meeting. The motion was seconded by Mr. Thompson and carried.

IN THE MATTER OF COMMISSIONER COMMENT:

President Trine took this opportunity to commend Highway Engineer / Superintendent Ted Cain and the Highway Department for their effort in keeping the roads in Howard County in good condition during the past few winter storms. Mr. Cain thanked Mr. Trine and commended all the workers and staff of the Highway Department. He also appreciates the positive comments from the press.

IN THE MATTER OF HIGHWAY DEPARTMENT ISSUES:

Highway Department Engineer / Superintendent Ted Cain submitted the following issues for the Board's information and approval:

1. **Ohio Street Bridge:** Mr. Cain submitted Form IC-639, recommending acceptance of Contract B-29792, Ohio Street Bridge over Wildcat Creek, as well as an inspection report. A motion was made by Mr. Thompson to approve the acceptance of Contract B-29792, Ohio Street Bridge, and sign the inspection report. The motion was seconded by Mr. Moore and carried.
2. **Right-Of-Way Purchases:** Mr. Cain submitted right-of-way purchases as follows:
 - a) Property owned by Mr. James A. Rivers, located at 2775 East Boulevard, Kokomo, IN 46902 as a Permanent Right-of-Way, in the amount of \$4,000.00. A motion was made by Mr. Thompson, seconded by Mr. Moore and carried to approve the purchase of property from James A. Rivers, and authorize the President to sign the Sales Disclosure Form on behalf of the Board of Commissioners.
 - b) Property owned by Mr. John W. Wray, located at 2704 East Boulevard, Kokomo, In., 46902 as a Permanent Right-of-Way and a Temporary Right-Of-Way, in the amount of \$4,800.00. A motion was made by Mr. Thompson to approve the purchase from John W. Wray and authorize the President to sign the Sales Disclosure form on behalf of the Board of Commissioners. The motion was seconded by Mr. Moore and carried.

Mr. Cain informed the Board that there are four more right-of-way parcel purchases that are in the purchasing process, for the US 31 Freeway project. As soon as all the purchase paperwork has been completed and the checks have been received, Mr. Cain will inform the Utility Companies that they can begin their work.

3. **Second Round Of Stimulus Funds Possible:** Congress is in the process of deciding whether further Stimulus Funds will be available (Jobs Bill For Main Street). In preparation for that possibility, Mr. Cain has contacted Butler Fairman & Seufert to prepare contracts and have everything in place for early application as soon as Congress has made a decision. Inspection Certification needed to be signed and

forwarded to the Greenfield District, as soon as possible. The paperwork was signed by Mr. Trine and Mr. Moore on February 11th and Mr. Cain now asks that their signatures be ratified. A motion was made by Mr. Moore, seconded by Mr. Thompson and carried to ratify Mr. Trine's signature on the Certification paperwork.

IN THE MATTER OF PLAN COMMISSION ISSUES:

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

1. **US 31 Corridors Plans:** The Citizens Advisory Committee meeting is Tuesday night, February 23rd at 6:00 p.m. in room 101 of the Government Center.
2. **Zoning Ordinance:** The new Zoning Ordinance and map have been advertised with an effective date of June 1, 2010. Mr. Boise will help the Board of Commissioners on any revisions they feel need to be made. Mr. Trine forwarded an e-mail to the Plan Commission and Commissioners Thompson and Moore, concerning requested revisions.
3. **High Risk Property Listing:** Mr. Boise is aware of the availability of a Local Match Grant for Flood Mitigation. He is preparing a listing of endangered homes in flood plains, and has eight properties under consideration (several located on Ridge Road). Mr. Boise is looking into funding opportunities and wanted to garner the Board's approval before moving ahead. It was the consensus of the Board to continue to explore funding opportunities.

There is no Plan Commission Meeting on Tuesday the 16th.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

Sheriff Talbert submitted the following issues for the Board's information and approval:

1. **Jail Population:** Currently there are two hundred ninety-four inmates in the Criminal Justice Center: forty-four are females. The Inmate Work Crew painted and cleaned the book-in area. Forty-six arrests were processed in over the weekend.
2. **Letter From ACLU:** Sheriff Talbert distributed copies of a letter received from the American Civil Liberties Union, thanking Captain Harold Vincent and Nurse Andrea Stonestreet for the "...informative and thorough report sent..." to the ACLU concerning their inquiry an inmate. He believes this letter is reflective of the great work that is being done in the medical office of the Jail. Inmate medical issues are the largest source of liability for the County.
3. **Response To Media Story:** In response to a local media story, Sheriff Talbert assured the Board of Commissioners and those present that he has never zeroed out a vehicle line item in the Sheriff's or Commissioners' account lines. It was reported that Sheriff Talbert asked for an additional appropriation for the vehicle from Misdemeanant Fund money, to give to the Kinsey Youth Center. Unlike the County General fund, the Misdemeanant Fund is for the Sheriff to expend for items related to law enforcement purposes. The money is already "in the bank". Sheriff Talbert is merely asking for permission to spend it. That is different than requesting additional money that is not already in the account. The dryer purchase that was also mentioned in the article came from Misdemeanant Funds, as well. There was a great need to replace those dryers (installed in 1992). Those dryers are run daily, every day of the year. The dryers that have been replaced are kept and stored for parts. Maintenance Supervisor Art Fross reported on the status of the dryers before replacement. With over three hundred inmates housed together, personal laundry is done once a week and uniforms are laundered twice a week. This is a public meeting and no one objected to the purchase request at the time it was submitted.

Commissioner Thompson expressed appreciation to Sheriff Talbert for contacting the Board members and requesting that they see the need before requesting the purchase. The jail and its equipment have to be maintained, according to the law. He trusts Sheriff Talbert and the maintenance department. Commissioner Moore also expressed appreciation for the many ways Sheriff Talbert and his staff have tried to cut costs. Commissioner Trine commented that as a government entity County Government is

very transparent. Any money that is spent has to be approved by the Board of Commissioners, twice a month, in a Public meeting that is open to all taxpayers. Mr. Trine believes that we are sometimes “beaten up” over small issues. He mentioned the smoking issue where complaints have been received concerning county employees who smoke outside the doors of the building they work in. The fact that they are outside smoking is confirmation that the Board of Commissioners has observed the law that bans smoking in public buildings in the City limits, instead of creating smoking areas inside their buildings. Because of the due diligence of Public Officials and department heads, our insurance liability has decreased through the years and our health insurance rates have remained the same for the last five years. Can other government entities claim that? Our IT Department has made Video Conferencing available to all the Courts and the Criminal Justice Center, the Hospitals and the Public Defender’s office, saving time and money in jail and court costs. Sheriff Talbert commended his employees and believes they are not haphazardly spending money.

IN THE MATTER OF MAINTENANCE DEPARTMENT ISSUES:

Buildings and Grounds Superintendent Scott Reed presented the following issues for the Board’s information and approval:

1. **Praise To Sheriff Talbert:** Mr. Reed commended Sheriff Talbert for his efforts in repairing and maintaining the Criminal Justice Center, preparing it for the next Sheriff, no matter who that will be. It also makes the maintenance department’s job easier.
2. **Parking Lot Maintenance:** Mr. Reed informed the Board that his department has been very busy keeping the sidewalks and parking lots shoveled and safe for the employees. He thanked office holders for their cooperation in parking in other lots until the regular ones had been plowed. It made his department’s job easier.

Commissioner Thompson thanked Mr. Reed and his department for their work in keeping the sidewalks shoveled.

Mr. Reed and Ms. Mikki Jeffers, from the Recycling District, have several good ideas on helping the County offices’ recycling efforts to be more effective. Mr. Thompson will be meeting with them soon.

IN THE MATTER OF PERSONNEL DEPARTMENT ISSUES:

Personnel Director Wanda McKillip submitted the following issues for the Board’s information and approval:

1. **Emergency Update Sheets:** Ms. McKillip and the Personnel office are in the process of updating Emergency Procedure information Sheets for all departments. A month ago there was an unscheduled and unexpected fire drill in the Administration Center, when an incident was reported on the first floor that houses Key Bank. Everyone got out of the building safely and in a timely manner, as emergency procedures were followed. Ms. McKillip commends the offices and employees for their orderly evacuation.
2. **New FMLA Forms:** New FMLA forms are required and the Personnel Office is updating job descriptions, as requested from the Wage and Hour Department.
3. **Kokomo Sports Center:** Information memos will be distributed to all departments informing them of an employee discount on Kokomo Sports Center memberships.

IN THE MATTER OF INFORMATION SYSTEMS DEPARTMENT ISSUES:

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

1. **New Server Status:** The IT Department has completed the move to the new server, with all major applications having been moved. There are minor issues that need to be worked on. The old server is out of date and they were experiencing some major difficulties with it. Any measures taken to fix it were serious and high risk. The actual process went better than expected but there were some difficulties when

the user logged back in. The actual move from old to new, for each work station, took place at the log-in. The more data the work station had, the longer the move took; anywhere from five minutes to several hours. It was a tense situation and a lot of calls to handle, but it is now completed. Mr. Tribby asked the Board of Commissioners to please call his office if they have any questions or concerns.

2. **Visited Neighboring County IT Department:** Mr. Tribby visited the Tippecanoe County IT Department while they were in Lafayette looking at data solutions from a vendor. Their IT Department has eleven full-time employees. Their office does not support the Sheriff's Department or the Recorder's Office: those offices employ four additional personnel. Howard County has four full-time employees in the IT Department and two contracted employees that cover all of the County's departments. He commends his employees.
3. **Word 2007 Issues:** Several offices have reported difficulties using Microsoft Word 2007. The IT Department is aware of several compatibility issues between Word 2003 and Word 2007, and will address those issues.

IN THE MATTER OF SEASONAL FLU VACCINE ORDER:

Public Health Nurse Coordinator Karen Long distributed a report concerning ordering seasonal flu vaccine for the County employee. In 2009 four hundred forty doses were ordered for the employees at ten doses per vial in the amount of \$3,682.80. The total doses administered were four hundred forty-seven; seven doses were provided through the Vaccine for Children Program for children under age three. Ms. Long recommends that four hundred forty doses be ordered for this year, as well. The cost has increased to \$9.38 per dose for a total projected cost of \$4,127.00. At the conclusion of her presentation a motion was made by Mr. Thompson to approve Ms. Long's recommendation of four hundred forty doses, for the projected cost of \$4,127.00. The motion was seconded by Mr. Moore and carried. The Board expressed appreciation to the Health Department for the time options offered to the employees.

IN THE MATTER OF A COUNTY EXTENSION EQUIPMENT PURCHASE REQUEST:

Ms. Susan Neher of the County Extension Office submitted a request to purchase a Riso EX220 Duplicator from the Cumulative Capital Fund. This duplicator will be used to make manuals and teaching materials. The Riso is a better choice for large volume usage, and this machine has been quoted from Shearer Printing, in the amount of \$4,995.00. Shearer is the only local vendor that sells this machine. A motion was made by Mr. Thompson, seconded by Mr. Moore and carried to approve the purchase of the Riso EZ220 in an amount not to exceed \$4,995.00. Ms. Neher is still in the process of locating another Riso dealer in Kokomo.

Ms. Neher also informed the Board that Youth Educator, Jill Early, is leaving the Extension Office. The position will be posted in the media on Friday, and the Extension Office will host an Open House in her honor. The Board of Commissioners is invited to attend.

IN THE MATTER OF THE E911 VERIZON CONTRACT:

E911 Coordinator Nick Capozzoli submitted the Verizon Contract for the Board's approval. This service is for exchange boxes that convert E911 data from Verizon to A T & T in the northern and southern portions of the County. Verizon will repair any boxes that experience difficulties. This contract is on an annual renewal basis and has been reviewed and approved by Attorney Murrell. A motion was made by Mr. Moore, seconded by Mr. Thompson and carried to approve the Verizon Contract and authorize the President to sign on behalf of the Board of Commissioners.

The Board of Commissioners extended their condolences to Mr. Capozzoli in the death of his sister. There will be a Benefit / Memorial Chili Supper for the family on February 20th from 4:00 p.m. until 7:00 p.m. at Crossroads Church. The benefit is jointly sponsored by Crossroads Church and the Sheriff's Department.

IN THE MATTER OF PHYSICIAN CONTRACT FOR KINSEY YOUTH CENTER:

Kinsey Youth Center Director Brent Kelley submitted a contract between Howard County and Dr. Ron Maus for medical services provided to Kinsey Youth Center residents. This contract is renewed annually, in the amount of \$19,055.00, and Mr. Murrell recommends its approval. Dr. Maus has been Kinsey's physician since they opened their doors and they are pleased with his service. A motion was made by Mr. Moore to approve the contract with Dr. Maus, in the amount of

\$19,055.00, and authorize the President to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Thompson and carried.

IN THE MATTER OF PUBLIC COMMENT:

President Trine opened the floor for public comment as follows:

Dick Davis - Mr. Davis attends a lot of Government meetings and he would like to publicly acknowledge Sheriff Talbert and thank him for the job he is doing. Mr. Davis is "amazed at all the things that he gets done and the innovations he puts in the Sheriff's Department and the things that he does". The County owes him a deal of gratitude.

IN THE MATTER OF CLAIMS AND REPORTS:

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

1. **Salary Claims:** Salary, hourly and overtime claims payable February 19 and 26, 2010, in the amount of \$338,210.16 each, was approved on a motion made by Mr. Thompson and seconded by Mr. Moore.
2. **Operating Claims:** Operating Claims payable today, in the amount of \$310,754.33, were submitted and approved on a motion made by Mr. Moore and seconded by Mr. Thompson.
3. **Treasurer's Report:** The Treasurer's Report for the month ending January 31, 2010, was submitted and accepted on a motion made by Mr. Thompson and seconded by Mr. Moore.
4. **Clerk's Monthly Report:** The Clerk's Report for the month ending January 31, 2010, was submitted and accepted on a motion made by Mr. Thompson and seconded by Mr. Moore.
5. **Semi-Annual Grant Reports:** Semi-Annual grant reports have been received from Grant Administrator Tina Mendenhall Henderson. These reports are necessary follow-up paperwork for the construction of a sewer for the Taylor Regional Sewer District and for the construction of a Fire Truck for Honey Creek Township. The subjects of the grants are still being used and reports have to be sent. At the conclusion of Mr. Murrell's explanation, a motion was made by Mr. Moore, seconded by Mr. Thompson and carried to accept the Semi-Annual reports for the **Honey Creek Fire Truck** and authorize the President to sign on behalf of the Board of Commissioners.

A motion was made by Mr. Moore seconded by Mr. Thompson and carried to approve the Semi-Annual Reports for the **Taylor Regional Sewer District Sewer Construction**, and authorize the President to sign on behalf of the Board of Commissioners.

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

County Attorney Larry Murrell submitted the following issues for the Commissioners' information and approval:

1. **Brian Oaks Invoice:** Mr. Murrell submitted an invoice from Assistant County Attorney Brian Oaks, in the amount of \$319.00, for services pertaining to the preparation and attendance of the McConnell Show Cause hearing. Mr. Oaks was representing the Board of Health and was able to work with the City of Kokomo in the resolution of this case, without court action. A motion was made by Mr. Thompson, seconded by Mr. Moore and carried to approve the invoice from Brian Oaks in the amount of \$319.00.
2. **Barnes & Thornburg Invoice:** Mr. Murrell submitted an invoice from Barnes & Thornburg, in the amount of \$49,232.87, for services rendered for the Delphi Bankruptcy matters and the Chrysler Corporation matters. A motion was made by Mr. Moore, seconded by Mr. Thompson and carried to approve the payment of the Barnes & Thornburg invoice in the amount of \$49,232.87.
3. **Lieberman Technologies Contract:** Mr. Murrell submitted the Lieberman Technologies Foreclosure Project Service Agreement. This contract was submitted for the Commissioner's approval at the February 1st meeting, but was tabled to include default language (*please refer to page one, item four, "In The Matter Of Sheriff Department Issues" of the Regular Meeting minutes dated February 1, 2010*).

The contract now includes that language and has been approved by Lieberman. Mr. Murrell recommends approval of the contract. This contract includes the setting of the fee at \$115.00 per sale parcel and thus also requires approval of the County Council. A motion was made by Mr. Moore to approve the Lieberman Technology Contract and authorize the President to sign on behalf of the Board of Commissioners. He also approves Joint Resolution No. 2010-BCCR- 4 to forward to the Howard County Council. The motion was seconded by Mr. Thompson and carried.

4. **Chrysler Property Tax Settlement Documents:** The appropriate documents are circulating for signatures of all parties. The abatement transfer goes to the City Council Meeting on Wednesday night. Barnes and Thornburg will coordinate PDF signature transferred documents. Friday, February 11th the Treasurer, Auditor and Assessor signed the Documents. Mr. Murrell also asked President Trine to sign on behalf of the Board of Commissioners to satisfy the timing requirements of the settlement. He now asks the Board to approve the Stipulation and Agreement Resolving Claims of Howard County, Indiana, For Property Taxes, and to ratify Mr. Trine's signature. A motion was made by Mr. Thompson to approve the Stipulation and ratify Mr. Trine's signature. The motion was seconded by Mr. Moore and carried.
5. **Additional Liability Insurance:** Insurance Representative Phil Thatcher made a recommendation that the County look at an Umbrella policy and consider additional coverage to increase to two or three million. Mr. Thatcher submitted quotes for the Board to consider. Mr. Murrell and Auditor Wells have discussed this. It would be nice, but not required, and Mr. Murrell does not recommend the additional coverage at this time. The matter was taken under advisement.

President Trine took this opportunity to thank Attorney Larry Murrell, Assessors Sheila Pullen and Jamie Shepherd, Auditor Ann Wells, Treasurer Martha Lake, and Councilman Miller, for their work in the Delphi and Chrysler matters. This was a partisan team effort and the citizens of Howard County owe the team much gratitude for the hours spent.

IN THE MATTER OF COMMISSIONER ISSUES:

1. **Commissioner Moore:** Mr. Moore reminded the Board of the Open House for Jill Early at the Extension Office on Friday. The Board of Commissioners has been invited to the Drug Court Graduation this Wednesday at noon. The Plan Commission Board will NOT meet tomorrow night.

The Board is still considering the New Business funding requests of Angie Myers and Kim Burnett Morgan. Ms. Myers is in attendance to answer any questions the Board might have. The City of Kokomo has given recommendations and approval to Ms. Myers, and the request of Ms. Burnett Morgan is currently in process. Mr. Trine is in support of both requests and would like to see a plan from both parties that consider sustainable money. A motion was made by Mr. Thompson to forward a recommendation to the Council at their March 23rd meeting, to approve both \$5,000.00 EDIT Fund small business finance requests, and set the stipulations for approval. Mr. Murrell suggested that the County approve a Memorandum of Understanding to the GKEDA Umbrella Group and with their approval use GKEDA to forward the funds. The motion was seconded by Mr. Moore and carried.

2. **Commissioner Thompson:** Mr. Thompson informed the Board that Baha Burritos is coming back to the Downtown area.

Mr. Thompson added his appreciation to the Chrysler Team for their hard work

3. **Commissioner Trine:** Mr. Trine submitted the January Report and February EMA Activity Calendar and both were accepted on a motion made by Mr. Thompson and seconded by Mr. Moore.

Mr. Trine received a letter from Salvation Army thanking the Board of Commissioners for the donation of canned goods from the Clash of the Cans food drive. Mr. Trine also thanked Ken de la Bastide for writing several articles that appeared in the Kokomo Tribune. Mr. Trine will give Thank You letters to both the Kokomo Tribune and Kokomo Perspective in honor of their involvement in Clash of the Cans.

There will be a regional meeting in Cass County on Wednesday, February 24 at 6:30 p.m., to discuss and consider possible cost saving joint ventures with surrounding counties, and any other matter requiring the Board's special attention. This will be considered a Special Session and will be advertised as required by law.

Mr. Trine has been in contact with Greentown and Russiaville Town Boards to offer EDIT assistance similar to what downtown Kokomo receives. He asked them to consider and submit requests to the Board of Commissioners. Russiaville has submitted a request for assistance with outfitting their newly purchased police vehicle. Greentown will be looking for antique lighting for the downtown streets. Discussion ensued concerning guidelines for use of the money. Sheriff Talbert informed the Board that both Russiaville and Greentown will go out of their jurisdiction in order to assist the County in law enforcement activities. At the conclusion of discussion a motion was made by Mr. Moore, seconded by Mr. Thompson and carried to take this issue under advisement for further review.

Journalist Ken de la Bastide thanked each Commissioner for sponsoring him in the Walk-A-Mile event.

There being no further business to come before the Board at this time, the meeting was adjourned at 10:26 a.m. on a motion made by Mr. Thompson and seconded by Mr. Moore.

HOWARD COUNTY BOARD OF COMMISSIONERS:

DAVID A. TRINE, PRESIDENT

WILLIAM THOMPSON, VICE PRESIDENT

TYLER O. MOORE, MEMBER

ATTEST:

ANN WELLS, AUDITOR

Howard County Board of Commissioner Meeting February 15, 2010