

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING JANUARY 19, 2010

The Howard County Board of Commissioners met in Regular Session on Tuesday, January 19, 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 January 4, 2010 meeting, having been previously submitted and reviewed were approved on a motion made by Mr. Moore and seconded by Mr. Thompson.

The minutes of the January 13, 2010 Administrative Meeting were submitted and reviewed. A motion was made by Mr. Thompson to approve the minutes of the January 13, 2010 Administrative Meeting. The motion was seconded by Mr. Moore and carried.

IN THE MATTER OF HIGHWAY DEPARTMENT ISSUES:

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

1. **Right-Of-Way Purchases:** Mr. Cain submitted the following Right-Of-Way purchases for the Boulevard Project of the US 31 Freeway:

Parcel #13: Property located at 2750 E. Boulevard, Kokomo, IN 46902, formerly owned by Ruth A. Nixon, Initial Trustee of the Hugh F. Nixon and Ruth A. Nixon Revocable Living Trust, dated February 22, 1995, in the amount of \$4,950.00.

Parcel #16: Property located at 2832 E. Boulevard, Kokomo, IN 46902 formerly owned by the Nixon Holdings LLC, in the amount of \$2,950.00.

A motion was made by Mr. Thompson to approve the Right-of-Way purchases for the Boulevard Project of the new US 31 Freeway, and authorize the President to sign the Sales Disclosure forms for Parcels 13 and 16, on behalf of the Board of Commissioners. The Motion was seconded by Mr. Moore and carried.

Mr. Cain informed the Board that there are two parcels whose owners have been unresponsive to the letters requesting right-of-way purchases. The next step is to pursue condemnation proceedings to motivate the owners to sell.

2. **Future Stimulus Project Funds:** There is a rumor concerning the possibility of additional Stimulus Project funds. Mr. Cain is gathering information for sixteen to seventeen roads that could be eligible and if it looks like there will be an opportunity for application, he will meet with Butler Fairman and Seufert to make an early application to the State.
3. **Covered Bridge Certification:** Auditor Wells submitted the Covered Bridge Certification form for Howard County and confirmed with Mr. Cain that there are no operating covered bridges on any Howard County roads. The Certification was then signed by the Board of Commissioners.
4. **Salt Supplies:** Mr. Cain assured the Board that the Highway is doing well with their salt supplies.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

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

1. **Jail Population:** The current inmate count is three hundred twenty-six (326) with forty-nine (49) being female.

2. **Carpet Replacement:** The Criminal Justice Center's carpeting is eighteen years old and as the former Community Correction offices have been renovated, it is even more apparent that the carpeting needs to be replaced. The Inmate Work Crew can help with installation of new carpeting and Sheriff Talbert is in the process of obtaining quotes for the carpet. He will submit those quotes at a later meeting.
3. **Courthouse Security:** Sheriff Talbert commended Deputy Craig Trott and the Courthouse Security Officers for dedication to their job, and keeping the Courthouse much safer. There are challenges in that department with only two full-time Security Officers, but they get the job done at their check point.
4. **Kudos To The Maintenance Department:** Lieberman Technologies will be processing the Sheriff Sales and Sheriff Talbert expressed appreciation to the Maintenance Department for their installation of a TV monitor in a cubicle of the Jail lobby. They did a great job and Sheriff Talbert informed the Board that the monitor could be used in a variety of different ways.
5. **Future Inmate TV Replacement:** Currently the jail has tube style televisions mounted low, in metal and Plexiglas cabinets. As those televisions wear out, Sheriff Talbert would like to replace them with the newer flat screen TVs and mount them higher up on the column where they are out of reach of the inmates. This will create a safer environment.
6. **Sheriff Sales:** As mentioned earlier in the meeting, Lieberman Technologies will be processing the Sheriff Sales. Lieberman services sixteen other counties in Indiana with their Sheriff's sales. The Sheriff Department's staff members who currently handle the Sheriff's sales will take over administrating the Inmate Trust Account. Attorney Murrell has prepared a Resolution for the Board of Commissioners and County Council to reflect the change, but is waiting for information on a cost allocation report in order to set the fees. Sheriff Talbert informed Mr. Murrell that the Cost Allocation Report will be ready by March 1, 2010.

IN THE MATTER OF PLAN COMMISSION ISSUES:

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

1. **U.S. 31 Corridors Plans:** Mr. Boise is waiting for a report from the consultant and will have a report ready for the next Commissioner meeting.
2. **Proposed Zoning Ordinance:** Mr. Boise reminded the Board of Commissioners that they have until January 31st to make a decision concerning the Proposed Zoning Ordinance. The Commissioners have not discussed the Ordinance since the January 13th Administrative Meeting with the Plan Commission Board. Commissioner Moore feels comfortable with approving the proposed Ordinance as a "living" document that can be amended as problems surface and are reviewed. He commented that it has been studied for three and a half years, and he felt that was long enough. There will always be problems with enforcement.

Mr. Trine believes that some of the signage restrictions are excessive and need to be amended.

Mr. Thompson voiced the following concerns:

- a) The time frame for the removal of an item that is restricted by the new Ordinance
- b) Requests a final Public Hearing to hear specific line item objections, to help insure that it is being interpreted correctly by the public
- c) Monthly or Quarterly reports on violations and actions to the violations

Mr. Boise stated that the first concern would be about two months. There is only enough time to include a Public Hearing as part of a Special called Commissioner meeting. Discussion ensued. A motion was made by Mr. Moore to approve the Proposed Zoning Ordinance subject to scrivener correction of errors and the inclusion of an explanation of the zoning process to the citizen. Discussion continued and the motion died for a lack of a second.

A motion was made by Mr. Thompson to schedule a Public Hearing on January 26, 2010 at 4:00 p.m. as a Special called Session of the Board of Commissioners. The motion was seconded by Mr. Moore, who then abstained from the vote. President Trine vacated the chair to vote in favor of the motion. The motion carried.

At this time the Regular meeting was recessed in order to hold a previously scheduled Public Hearing to consider a Vacation of Easement, on a motion made by Mr. Thompson and seconded by Mr. Moore.

Attorney David Baird represented Mr. Monty Nelson and Gwynne R. Nelson as they have filed a Petition to vacate a twelve foot utility easement along the south side of Lot 1 in King's Acre Subdivision, 674 North County Road 750 West, Kokomo, Indiana. All required paperwork has been submitted to the Auditor's Office. The Utility companies have been contacted and they have no objections. No objections have been raised by adjoining property owners. Mr. Trine opened the floor for public comment. Let the record reflect that there were no objections voiced. A motion was made by Mr. Moore to approve the Vacation of Easement as submitted, as Ordinance No. 2010-BCCO-02. The motion was seconded by Mr. Thompson. Attorney Murrell informed the Board that there needs to be a determination, by them, of Section I of the Ordinance that the proposed vacation does comply with the purposes and provisions of Indiana Code 37-7-3-12 and 36-7-3-16. The motion was amended to include the determination, by Mr. Moore and seconded by Mr. Thompson. The amended motion was carried.

A motion was made by Mr. Thompson to close the Public Hearing and resume the Regular meeting. The motion was seconded by Mr. Moore and carried. The Regular Meeting resumed.

IN THE MATTER OF MAINTENANCE DEPARTMENT ISSUES:

Buildings and Grounds Superintendent Scott Reed submitted the following issues for the Board's information and approval:

1. **Radio Signal Receiving Problem In Courthouse Basement:** Mr. Reed informed the Board of Commissioners of a problem receiving radio signals in the basement of the Courthouse. Mr. Reed has received a quote from Integrity Business Communications for a signal booster including installation and programming, in the amount of \$1,821.44. A motion was made by Mr. Thompson, seconded by Mr. Moore and carried to approve the equipment request as submitted, subject to review by Mr. Murrell and Information Systems Director Terry Tribby, in an amount not to exceed the quoted price of \$1,821.44.
2. **Simplex Grinnell Contract:** This contract is still in progress. Mr. Murrell informed the Board that some of the language has been agreed upon, but there are still three changes that have not been made.

IN THE MATTER OF PERSONNEL DEPARTMENT ISSUES:

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

1. **Human Resources Seminar:** Ms. McKillip informed the Board of a Human Resources Diploma Course that she and her assistant Brittany Campbell are scheduled to attend. The seminar is sponsored by the Association of Indiana Counties and will be held on Friday, January 29th at the Lawrence Campus of IVY Tech. Matron Loretta Moon will be attending, as well, and they will be using the Sheriff's Department transport van. Ms. McKillip extended an invitation to the Board of Commissioners.
2. **PAC Recommendation:** Ms. McKillip submitted the Health Department request and PAC Committee Recommendation as follows:
 1. Increase Nurse Coordinator's salary from \$41,905.00 to \$50,000.00. Recommendation is based on the fact the position has been open since October 2009 and a more competitive salary is needed to attract and retain the qualified candidate. The position was offered to three candidates and they all refused the position due to the salary.

2. Recommend to hire a part-time Preparedness Specialist. The budget for 2010 will be \$20,000.00 with an hourly rate of pay of \$20.00. This position was previously the responsibility of the Nurse Coordinator.

Both recommendations were made with the understanding that the Health Board must monitor their budget and have a plan in place in case revenues decrease. Since the Health Department increased their fees to 2009 they stated they are certain the fees will generate enough funding to maintain these positions. At the conclusion of ensuing discussion, a motion was made by Mr. Thompson to approve the PAC Committee recommendation and to forward the recommendation to the Howard County Council. The motion was seconded by Mr. Moore and carried.

IN THE MATTER OF INFORMATION SYSTEMS DEPARTMENT ISSUES:

There was no report for the Information Systems Department, today. Commissioner Moore extended his condolences to Mr. Tribby and his family, in the death of Mr. Tribby's grandfather.

IN THE MATTER OF THE FINANCIAL ASSISTANCE REQUEST FROM THE LIBERTY TOWNSHIP TRUSTEE:

At the December 7, 2009 Commissioner Meeting, Liberty Township Trustee Linda Grove submitted a request for a \$10,000.00 gift from the Board of Commissioners (*please refer to page four, "In The Matter Of A Financial Request From Liberty Township", of the Regular Meeting minutes dated December 7, 2009*). A letter was submitted to the Board of Commissioners from Mrs. Grove, withdrawing the request. She will be taking advice from the Department of Local Government Finance, to put the Township's COIT funds into the Township Assistance Fund. The Request to Withdraw was accepted by the Board of Commissioners on a motion made by Mr. Thompson and seconded by Mr. Moore.

*At this time a motion was made by Mr. Thompson, seconded by Mr. Moore
and carried to recess the Regular Commissioner Meeting
in order to hold a Board of Finance Meeting.
The Board of Finance Meeting was called to order by Treasurer Martha Lake.*

*At the conclusion of the Board of Finance Meeting the
Regular Commissioner Meeting was reconvened on a motion made by
Mr. Thompson and seconded by Mr. Moore.*

IN THE MATTER OF PUBLIC COMMENT:

President Trine opened the floor for Public Comment. Let the record show that there was no public comment at this time.

IN THE MATTER OF CLAIMS AND REPORTS:

Auditor Ann Wells submitted the following claims and reports for the Board's information and approval:

1. **Salary Claims:** The Commissioners' Salary, Hourly and Overtime claims payable January 22 and 29, 2010, in the amount of \$338,210.16 each, were approved on a motion made by Mr. Thompson and seconded by Mr. Moore.
2. **Operating Claims:** The Commissioners' Operating Claims payable today, in the amount of \$115,898.03, were submitted by Ms. Wells. It was explained that these claims are paid from the encumbered 2009 money. The claims being paid from the 2010 budget will be paid beginning February 1, 2010. A motion was made by Mr. Moore to approve the Operating Claims in the amount of \$115,898.03. The motion was seconded by Mr. Thompson and carried.
3. **Treasurer's Report:** The Treasurer's Monthly Report for the month ending December 31, 2009, was submitted and accepted on a motion made by Mr. Thompson and seconded by Mr. Moore.
4. **Clerk's Report:** The Clerk's Monthly Report for the month ending December 31, 2009, was submitted and accepted on a motion made by Mr. Moore and seconded by Mr. Thompson.

5. **Soil & Water Report:** The Soil & Water Agenda for their January 19, 2010 meeting and the minutes from their December 15th meeting were submitted and accepted on a motion made by Mr. Moore and seconded by Mr. Thompson.
6. **Howard Haven Donation Inventory:** Ms. Wells submitted the Howard Haven Donation Inventory for October 21 – November 30, 2009. The inventory was accepted on a motion made by Mr. Moore and seconded by Mr. Thompson.
7. **Township Assistance Hearing:** At the request of President Trine, Auditor Wells acted as the Hearing Officer for the Township Assistance Hearing for Tamara R. Miscoi of Harrison Township. After listening to all aspects of the assistance appeal, it was Ms. Well's recommendation to uphold the Trustee's denial, finding that the Eligibility Standards and Guidelines were followed. A motion was made by Mr. Thompson to uphold the trustee's denial for the Harrison Township Assistance Hearing for Tamara R. Miscoi. The motion was seconded by Mr. Moore and carried.

IN THE MATTER OF REAPPOINTMENTS TO THE PROPERTY TAX ASSESSMENT BOARD OF APPEALS:

County Assessor Jamie Shepherd submitted a recommendation to the Board of Commissioners that they reappoint William Sahn, Virginia Baker and Ann Harrigan to the Property Tax Assessment Board of Appeals as the Board of Commissioners' appointments. This is a five member board who serve a one year term. In the previous year, Mr. Sahn, Ms. Baker and Ms. Harrigan attended all the meetings and served the County to the best of their ability, and they are all Level II Certified. At this time, Ms. Shepherd informed the Board that both she and Center Township Assessor Sheila Pullen are among the first in the State of Indiana to earn their Level III Certification. A motion was made by Mr. Thompson to reappoint William Sahn, Virginia Baker and Ann Harrigan to the Property Tax Assessment Board of Appeals as the Commissioner appointments, upon Ms. Shepherd's recommendation. The motion was seconded by Mr. Moore and carried. Ms. Shepherd continued to update the Commissioners concerning the appeal count decreasing in 2009 from 2008. Also, all assessed values and reports have been submitted on time to the Department of Local Government Finance, and we are expecting an on-time tax billing for 2010. Because the Assessors' Offices are sending out Form 11's, assessment appeals can be based on the forms in lieu of having to wait for the tax bill. Both Ms. Shepherd and Ms. Wells have been in contact with Senator Buck concerning the State passing laws that aid the counties in assessment and tax-collecting duties in a more precise and timely manner.

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

County Attorney Larry Murrell submitted and distributed copies of the current Pending Contract log and reviewed the list with the Board of Commissioners. Mr. Murrell also plans on preparing a Pending Project listing for the Board of Commissioners.

IN THE MATTER OF COMMISSIONER ISSUES:

Commissioner Moore: Mr. Moore thanked Mr. Thompson and Mr. Trine for the presentation of the Pillar of the Community Award to Mr. Dave Kitchell, on the occasion of his retirement from the Kokomo Tribune.

The Downtown Association Beautification Committee held another meeting to discuss the next phase of the Courthouse Beautification Project. This was an idea generating and planning session. Mr. Moore took the minutes at the meeting and will submit a copy to Mr. Thompson.

Commissioner Thompson: Mr. Thompson began by recognizing the fact that Monday, January 18, was celebrated nationally, in honor of Martin Luther King's Birthday, and he hopes that people had the opportunity to reflect on what the day stands for.

Mr. Thompson submitted a Year-End Report concerning Courthouse Security and Maintenance to the Board of Commissioners, and he has copies available for the media if they request one.

The 2010 Census is important to the County and the State of Indiana, and Mr. Thompson encouraged everyone to assist census workers and give accurate information. Ads are being placed on the radio to help inform Howard County citizens.

The Board of Commissioners and the County Council attended a luncheon at Howard Haven, yesterday, presented by the Friends of Howard Haven. Mr. Thompson acknowledged Mr. Bob Krohl, President of the Friends of Howard Haven, for the work they have done in garnering community support for the County's home. Mr. Thompson continued to commend Superintendent Jennifer Vary and Howard County's Maintenance Department, as well several Western School employees. While at the luncheon, a Pillar of the Community Award was presented to the Friends of Howard Haven.

Commissioner Trine: Mr. Trine submitted several reappointments and they were acted upon as follows:

Howard County Convention & Visitors Commission: A motion was made by Mr. Thompson, seconded by Mr. Moore and carried to appoint Tammie K. Bock to the Convention & Visitors Commissioner for a two year term that expires December 31, 2011.

Community Corrections Board: At the December 7th meeting the Board of Commissioners appointed Ms. Ann Freeman, Ms. Tina Durham and Mr. Bob Hayes to the Community Corrections Board for one year terms (*please refer to page seven, items e, f, and g, "In The Matter Of Commissioner Issues" of the Regular Meeting dated December 7, 2009*). In reviewing the minutes, it was determined that those appointments should be four year appointments. A motion was made by Mr. Thompson, seconded by Mr. Moore and carried to change the appointments of Ms. Ann Freeman, Ms. Tina Durham and Mr. Bob Hayes from two years to four years.

Alcoholic Beverage Commission: Appointment for the Alcoholic Beverage Commission is tabled at this time.

Plan Commission Board: A motion was made by Mr. Moore to reappoint Cheryl Graham to the Plan Commission Board for a term to expire December 31, 2013. The motion was seconded by Mr. Thompson and carried.

Howard County Board of Health: A motion was made by Mr. Moore, seconded by Mr. Thompson and carried to reappoint Dr. Thomas Scherschel to the Board of Health for a four year term that expires December 31, 2013.

Howard County Emergency Management Advisory Council: A motion was made by Mr. Moore to reappoint Mr. Steve Laudenschlager to the Howard County Emergency Management Advisory Council, for a one year term that expires December 31, 2010. The motion was seconded by Mr. Thompson and carried.

City of Firsts Automotive Heritage Museum Board: A motion was made by Mr. Moore, seconded by Mr. Thompson and carried to reappoint Mr. Jim Brannon and Ms. Katherine Noel to the City of Firsts Automotive Heritage Museum Board for a term of three years that expires December 31, 2012.

Howard County Convention & Visitors Bureau: Ms. Kelly Karickhoff was reappointed to the Howard County Convention & Visitors Bureau for a term of two years to expire December 31, 2011, on a motion made by Mr. Moore and seconded by Mr. Thompson.

A motion was made by Mr. Moore to acknowledge receipt of a closure notice submitted by the Purdue County Extension Office, for Friday, January 22, 2010, to hold an annual office retreat. The motion was seconded by Mr. Thompson and carried.

Buildings & Grounds Superintendent Scott Reed has submitted blue prints of the County's downtown buildings. Because it takes time and expertise, Mr. Trine and Mr. Murrell recommend that the Board consider the services of an outside consultant to recommend space allocation of the buildings. Discussion ensued concerning the needs of the County's different offices, a Request For Proposal to local consultants, and the issues surrounding record retention and storage. At the conclusion of discussion it was the consensus of the Board to authorize Mr. Murrell to draft a Request For Proposal.

Saturday, January 23, 2010 is the build date for the "Clash of the Cans" event at the Kokomo Mall. This event is sponsored by the Board of Commissioners to collect canned food items from volunteers in the community. They will be distributed to the Rescue Mission, Salvation Army, the Urban Outreach, and Howard Haven. There are several teams involved with about 12,000 cans. The displays are open to viewing by the public on Sunday the 24th until January 31, 2010.

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

HOWARD COUNTY COMMISSIONERS:

DAVID A. TRINE, PRESIDENT

WILLIAM THOMPSON, VICE PRESIDENT

TYLER O. MOORE, MEMBER

ATTEST:

ANN WELLS, AUDITOR

Howard County Board of Commissioner Meeting January 19, 2010