

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING NOVEMBER 1, 2010

The Howard County Board of Commissioners met in Regular Session on Monday, November 1, 2010 at 4:00 p.m. at the Greentown Town Hall. Those in attendance included President Dave Trine, Vice President Bill 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 Marshall Talbert and conducted by President Trine. The Pledge of Allegiance was led by several Veterans.

IN THE MATTER OF APPROVAL OF MINUTES:

The minutes of the October 18, 2010 meeting, having been previously submitted and reviewed, were approved on a motion made by Mr. Moore and seconded by Mr. Thompson.

IN THE MATTER OF RESOLUTION NO. 2010-BCCR-21:

President Trine asked Veterans Service Officer Robert Ladd to come to the front of the room. Mr. Ladd was accompanied by several veterans of the various branches of service. Mr. Trine recognized the service of the veterans present to their Country and this community. Resolution No. 2010-BCCR-21 is a Veterans Day Proclamation, and was read in full by Mr. Trine as follows:

WHEREAS, on October 8, 1954, the year Armistice Day was renamed Veterans Day, President Dwight D. Eisenhower issued the first "Veterans Day Proclamation," stating

On that day let us solemnly remember the sacrifices of all those who fought so valiantly, on the seas, in the air, and on foreign shores, to preserve our heritage of freedom, and let us reconsecrate ourselves to the task of promoting an enduring peace so that their efforts shall not have been in vain.

WHEREAS, fifty-six (56) years later, on Veterans Day November 11, 2010, it is fitting that we continue to pay tribute to all who have proudly worn the uniform of the United States of America.

NOW, THEREFORE, BE IT RESOLVED that, on behalf of the citizens of Howard County, the Howard County Board of Commissioners once again honors our Soldiers, Sailors, Airmen, Marines and Coast Guardsmen, who have served our country in the past, and serve our country today.

BE IT FURTHER RESOLVED that the Board encourages all citizens of this County to recognize the valor and sacrifice of our Veterans through appropriate public ceremonies and private thoughts and prayers.

DONE THIS 1ST DAY OF NOVEMBER, 2010.

A motion was made by Mr. Moore, seconded by Mr. Thompson and carried to approve Resolution No. 2010-BCCR-21, a Veterans Day Proclamation by the Howard County Board of Commissioners.

IN THE MATTER OF HIGHWAY DEPARTMENT ISSUES:

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

1. **2011 Highway Materials Bids:** The bids for the 2011 Highway Materials will be opened at the November 15th meeting at 8:30 a.m.
2. **Road Closure:** Mr. Cain will be talking with the State concerning the two projects at County Road 3 South and County Road 100 South, and when the roads will be opened. The project at County Road 300 South still has roads closed and Mr. Cain was told the roads would only be closed for thirty days. He will have more information to report to the Board of Commissioners at the November 15th meeting.
3. **Recent Storm Damage:** During the recent storm and tornado in Howard County, many trees were knocked down. Most of the damage occurred in the area of County Roads 200 South and 200 East.

Some telephone poles were down and some roads had to be barricaded. Walton Woods also received damage. The Highway Department has been busy picking up debris and clearing roads.

4. **Thanks From The Maintenance Department:** Mr. Scott Reed thanked Mr. Cain and his department for their assistance in removing the mounds in the front yard of the Administration Center. The Highway Department will also be assisting with a few projects at the Criminal Justice Center in the spring.
5. **MS4 Audit:** Commissioner Thompson mentioned the favorable comments the Highway Department received in the MS4 Audit. Mr. Cain was also pleased with the audit results.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

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

1. **Jail Population:** The current inmate population is three hundred thirty-two (332) with fifty-six (56) being female.
2. **Halloween Patrol:** Sheriff Talbert reported that he had seven extra officers on patrol for Halloween. There were no reports of vandalism and the officers mingled well with children and parents. Many positive comments were received.
3. **Kitchen Equipment:** The new kitchen equipment, previously approved by the Board of Commissioners, is arriving (*please refer to page one, item two, "In the Matter Of Sheriff Department Issue" of the Regular meeting minutes dated October 18, 2010*). He invited the Board members to visit the Criminal Justice Center and check it out.
4. **J-Pay:** The J-Pay Company has received their thirty day notice. On line and credit card payments will now be serviced by the Keefe Company and Sheriff Talbert will submit a contract for Mr. Murrell's review. An ATM machine will be installed in the Book-In area.
5. **Accolades To The EMA Department:** Sheriff Talbert expressed appreciation to EMA Director Larry Smith and his staff for their prompt attention and action during last week's storm and tornado. Mr. Smith was pro-active, having four EMA cars out in the community before the storm hit. They were a big help to the Sheriff's Department and to Dispatch. It was a relatively smooth process.
5. **Contracts:** The contract with Compass Group, for food service, is currently on hold.

The Contract with LabTech, for the dishwasher is being reviewed by Mr. Murrell and he has some changes that need to be made. The dishwasher has been delivered.

6. **Burn Ban:** Commissioner Moore asked how the Sheriff's Department was doing with calls concerning the Burn Ban. The ban has been lifted but a RED FLAG warning was issued soon after. There is always a burn ban inside the City limits but a burn ban for unincorporated areas is controlled by State regulations, unless the individual County has its own Ordinance. Fire Chief Rob Roller is the expert in burning issues. People need to use common sense, once the ban has been lifted. Fields have now been harvested and turned over, decreasing the danger.

IN THE MATTER OF PLAN COMMISSION ISSUES:

Plan Commission Director Greg Sheline submitted the following issues for the Board's information and approval:

1. **Resolution No. 2010-BCCR-19:** This resolution is by the Howard County Board of Commissioners adopting the U.S. 31 Corridors Comprehensive Plan Amendment to the Howard County Comprehensive Plan. This plan allows the Plan Commission to issue guidelines for future expansion of both 31 Corridors. Both the City Plan Commission and the City Council have approved the Comprehensive Plan Amendment. The County Plan Commission has also approved the amendment. The only public comments given at the Plan Commission Board Meeting were expressions of concern for the forced selling of properties. The Plan Commission Board spoke to the concern by assuring everyone that this

document is a living document and can be amended. Concerns would be addressed as they came up. Limited development will be allowed, and no properties have been rezoned because the present moratorium is still in place. At the conclusion of this present discussion a motion was made by Mr. Moore to approve Resolution No. 2010-BCCR-19, a resolution adopting the US 31 Corridors Comprehensive Plan Amendment. The motion was seconded by Mr. Thompson and carried.

2. **Flood Mitigation:** There has been no change but new elevation reports have been received by the State. When the approval has been determined by the State, the demolition will be open for bids.
3. **Unsafe Building Issues:** There are still problems with the property located at 1207 Moccasin Trail. Property owner Lois Turner still has the deed to the property and the property has not been cleaned up. Mr. Murrell has begun the process with a Title Search and that has been completed. Ms. Lois Turner is still the title owner. JP Morgan Chase had foreclosed on the property last year, but no Sheriff's deed was issued. There are several judgments against the property which is currently in limbo. Mr. Murrell suggests that we proceed with the Order to Demolish and set November 30, 2010 as the deadline for taking action to clean up the property. A Hearing date can be set for December 6, 2010 at 4:30 p.m. Mr. Weaver of the Health Department has inspected the property. There is a tarp across the entire south end of the house and there are several holes in the roof allowing for water damage. There is an abandoned van on the property and it can be tagged by the Sheriff's Department for removal. Mr. Murrell will prepare paperwork and forward it to Mr. Sheline. A motion was made by Mr. Moore to authorize Director Greg Sheline to contact the owner to clean the property by November 30, 2010, and set a Hearing Date for 4:30 p.m. on Monday, December 6, 2010. The motion was seconded by Mr. Thompson and carried.

There is a burned out mobile home on the property located at 3736 South County Road 350 East. Mr. Sheline had asked the owner to remove the mobile home by the end of October. He visited the property last Thursday and is happy to report the mobile home has been removed. There are several piles of rubble, left, but Mr. Sheline kindly asked the owner to remove the rubble, after he had thanked him for removing the mobile home.

The property located at 3686 South County Road 350 East is a walk away foreclosure with a swimming pool in the backyard. This pool is unattended and full of water and is not fenced, being open to the public. There have been complaints of students being on the property, drunk, around the pool. Mr. Sheline has talked to the Health Department about closing the pool but that procedure will take time. Discussion ensued concerning ways to cover the pool. Mr. Sheline would like to submit a plan at the November 15th meeting, to address this issue until the Health Department can issue an injunction through the Courts. Mr. Sheline has received a call from a Realty Company that is trying to take possession of the property; they will call back when possession has been granted.

4. **Board Reappointments:** There are five appointments whose terms will expire at the end of the year. Mr. Moore asked the Board to be considering appointees. Mr. Heath Van Natter's appointment expires December 31, 2012 but if he is elected as State Representative, the Board of Commissioners would need to appoint someone to finish Mr. Van Natter's term.

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. **Assisting The Clerk's Office:** The Maintenance Department is assisting the Election Board, today, with delivery and pick-up of the voting boxes.
2. **Power Outage:** The Downtown area of Kokomo experienced a power outage, last Tuesday. The power was reinstated at about 1:30 p.m. No damage was done and the Maintenance Department will be replacing battery back-up lights. Those lights are only meant to last one hour.
3. **Administration Center Lawn:** Grass seed has been planted in the lawn in front of the Administration Center.

4. **Kinsey Energy Assessment:** Energy Conservation Incorporated, who has done energy studies at Kinsey Youth Center, Criminal Justice Center and the Courthouse, have offered to do an assessment for the Administration Center and the Government Center, at no charge.
5. **Bricking Of Flag Poles:** Mr. Dwight Shaff will be bricking around the flag poles at the Administration Center with the same brick as the building.
6. **Chalking On Courthouse Sidewalk:** Tribune Reporter Ken de la Bastide informed the Board that a portion of the sidewalk around the Courthouse had been chalked. In response to the question of whether this is a violation or not, the Board responded that the sidewalk is owned by the City of Kokomo and the public is allowed access. It is not considered a violation to the County's property.
7. **Missing Letters On Government Center Door:** Commissioner Moore reported that there are several missing letters on the back door to the Government Center. Mr. Reed has already contacted the maintenance worker assigned to that building and he will be removing the lettering.

IN THE MATTER OF INFORMATION SYSTEMS DEPARTMENT ISSUES:

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

1. **New T One Service With AT&T:** Mr. Tribby informed the Board of a new agreement with AT & T for T One Service. This service will be used as the redundant backup for Dispatch to City Hall. Currently we have been using a DSL line at about \$240 per month. The AT & T line will be about \$160 per month which is the QPA pricing. This would be paid from the Dispatch funds. The agreement has been reviewed and approved by Mr. Murrell and is ready for the Board's decision. A motion was made by Mr. Moore seconded by Mr. Thompson and carried to approve the T One Service Contract with A T & T and authorize the President to sign on behalf of the Board of Commissioners.
2. **Fiber Optic Bid:** The bids for the Criminal Justice Center and Dispatch fiber optic cable will be decided by the City of Kokomo at the Board of Works meeting on Wednesday, with a recommendation given by Mr. Brad Bray. This is a portion of the Radio Grant obtained by the City of Kokomo.
3. **Election Results:** The Information Systems Department will be posting election results on the County's website, as they come in.

IN THE MATTER OF A PURCHASE REQUEST FROM THE CUMULATIVE CAPITAL FUND FOR THE HEALTH DEPARTMENT:

Health Department Director Kent Weaver received authority from the County Council to purchase a generator from county funds if he's not able to purchase it from any of the Health Department's grants (*at its meeting dated October 26, 2010*). Mr. Weaver explained his need for a generator because of the power outage on October 26th that forced him and his staff to pack up vaccines in coolers and move them to St. Joseph Hospital for refrigeration. Mr. Weaver has received a quote from Lowdermilk Electric for a generator, in the amount of \$8,800. Our Maintenance Department will install needed equipment. Mr. Weaver has applied for an H1N1 Extension Grant but does not know if it will be approved or when approval will be given. Also, during this situation it was discovered that the phone line to the Health Department's equipment security company, Stanley Convergent Security Systems, was dead. Stanley sent a technician to the Health Department to determine that the controlling device was not operational and would need to be replaced by them. Mr. Weaver is concerned that the trip charges (two trips) and the installation costs are not in his budget. At the conclusion of the October 26th Council Meeting, Mr. Reed received permission to order the generator and so it has been ordered. At the conclusion of discussion, a motion was made by Mr. Moore to approve the generator purchase from the Cumulative Capital Funds, in an amount not to exceed \$9,000.00, and to have the Health Department reimburse Cum Cap if their grant is approved. The motion was seconded by Mr. Thompson and carried. Sheriff Talbert suggested that the Health Department have the County's Dispatch monitor the Health Department's equipment in lieu of hiring an outside security company. Mr. Reed and Mr. Tribby will review the alarm situation.

IN THE MATTER OF PUBLIC COMMENT:

President Trine opened the floor for public comment as follows:

Veterans Service Officer Robert Ladd reminded the Board that the week of November 8 through 15, 2010 is Military Appreciation Week. Over seventy (70) businesses are on board. Mike's Car Wash will be giving carwashes to veterans on Veterans Day.

IN THE MATTER OF CLAIMS AND REPORTS:

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

1. **Salary Claims:** The Salary, Hourly and Overtime claims payable November 5 and November 12, 2010, in the amount of \$346,484.04 each, was 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 \$421,353.26 were submitted and approved on a motion made by Mr. Moore and seconded by Mr. Thompson.
3. **Historical Society Request:** Ms. Wells submitted a request from Kelly Karickhoff of the Historical Society, to place flyers advertising the "Christmas at the Seiberling" event, to all County employees. The consensus of the Board was to have the flyer submitted and make a decision at the November 15th meeting.

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

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

1. **Resolution No. 2010-BCCR-22:** This is a resolution of the Howard County Board of Commissioners confirming its prior approval of the Interlocal Cooperative Agreement between Howard County and the City of Kokomo concerning the creation and operation of a Consolidated Communications Center ("C-COM Agreement"). The Board of Commissioners approved an Interlocal Agreement with the City of Kokomo at their September 7th meeting (*please refer to page four, during the discussion of the Consolidation of Dispatch discussion, of the Regular Meeting minutes dated September 7, 2010*). Mayor Goodnight and the Kokomo Council have approved and signed the Interlocal Agreement for Consolidation, with amended language in 7A. The Howard County Council has approved the Interlocal Agreement. It is now up to the Board of Commissioners to approve the Resolution, which must also be approved and signed by Sheriff Talbert as the C-COM will be operated by the Sheriff's Department. A motion was made by Mr. Moore to approve Resolution No. 2010-BCCR-22, the C-COM Agreement. The motion was seconded by Mr. Thompson and carried. Documents from the City were also signed by the Board of Commissioners, and all original documents will be recorded and sent to the State Board of Accounts.
2. **Termination Of GCC Lease:** Mr. Murrell received a Notice of Termination of the Lease between Howard County and the Governmental Coordinating Council for office space in the Government Center. This termination is effective December 1, 2010.
3. **Moore Title & Escrow Invoice:** Mr. Murrell submitted an invoice from Moore Title & Escrow for services rendered for the ownership report for the property located at 1207 Moccasin Trail, Kokomo, Indiana. A motion was made by Mr. Thompson to approve the invoice for payment. Mr. Moore abstained from the motion so President Trine vacated the chair to second the motion. The motion carried.
4. **Lab Tech Agreement:** The Sheriff's Department Maintenance supervisor Art Fross was able to enter into an agreement for a dishwasher, free of charge, because their purchase level of chemicals from Sysco qualifies them to be eligible. Mr. Murrell has reviewed the agreement and cannot recommend it without a number of changes. The agreement lists a monthly rental fee and it was his understanding that the equipment was free of charge. Sheriff Talbert and Mr. Fross will meet with Mr. Murrell concerning this agreement.
5. **MacAllister Machinery Contracts:** Mr. Murrell submitted contracts with MacAllister Machinery for generator services at the Criminal Justice Center and the E911 Emergency Tower. Mr. Murrell has reviewed and approved these contracts and they are ready for the Board's approval. These contracts will

be for three years. At the conclusion of discussion a motion was made by Mr. Moore, seconded by Mr. Thompson and carried to approve the three year contracts with MacAllister Machinery for generators at the Criminal Justice Center and the E911 Emergency Tower. Mr. Scott Reed will return copies of the contracts to Mr. Ott at MacAllister.

Mr. Murrell will address the trash removal contracts in January, 2011.

IN THE MATTER OF COMMISSIONER ISSUES:

Commissioner Moore:

Mr. Moore and Mr. Murrell met with Grant Writer and Consultant Amy Beechy, last week, at Inventrek.

Mr. Moore spoke with a gentleman concerning the operation of reverse auctions. He would like to come to the next Commissioner meeting on November 15, 2010, to make a presentation, and Mr. Moore asked Ms. Wells to include him on the November 15th Agenda.

Mr. Moore expressed appreciation to Mr. Trine and wished him luck in tomorrow's election.

Commissioner Thompson:

Mr. Thompson reminded all that tomorrow is the last day to vote in this year's elections. He expressed appreciation to all the county employees in the Clerk, Voter Registration and Maintenance offices who work on Election Day. He also thanked the Sheriff's Department for their work when needed, as well.

Commissioner Trine:

Mr. Trine asked Mr. Murrell concerning the status of the NOVIA Employee Clinic. Mr. Murrell replied that all legal paperwork has been accomplished and Ms. McKillip and Ms. Dockemeyer, from the Personnel Office, have held employee meetings. Both Mr. Murrell and Mr. Trine commended the Personnel Department and the work they have done to bring the NOVIA Clinic to the Howard County employees. Also mentioned was the fact that Ms. Dockemeyer was in charge of evacuating the building during the recent power outage.

Mr. Trine thanked Veterans Service Officer Robert Ladd for attending, today, with the veterans. They will be remembered on Veteran's Day, November 11, 2010.

The organization that is hosting the "Light Up The Holidays" event in Downtown Kokomo, would like to reinstate a Santa House on the Courthouse lawn. Mr. Steve Addison of Addison Mini Barns will build a portable building for free if the materials can be provided. The Santa House can be positioned on the lawn near the sidewalk, making it accessible to the citizens without taking up parking spaces. Mr. Murrell does not see a legal problem with that arrangement. As far as material donations, Mr. Moore will speak with those businesses that have donated funds for Christmas decorations for the Courthouse. The Downtown Association will pay the electrical utility costs. A trailer for transportation has been donated. Mr. Thompson would like to see a written policy that would include maintenance and liability issues. At the conclusion of ensuing discussion, Mr. Murrell offered to help Mr. Moore create that policy for the Board.

At this time Sheriff Talbert offered suggestions for further consolidation conversations that would include discussions between the County and City offices under consideration for consolidation. The offices could discuss budgets and personnel issues before taking it to the Consolidation Committee. "It can't be chess and it can't be chicken." Mr. Thompson agreed that it's better to keep the Elected Officials out of the process and let the county and city workers come together and discuss consolidation issues.

Sheriff Talbert will sign the Interlocal Agreement for the E911 Dispatch Consolidation.

Mr. Trine thanked the Greentown Town Board for opening their offices and allowing Howard County to hold their Commissioner Meeting, tonight.

There being no further business to come before the Board at this time, the meeting was adjourned at 6:00 p.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 Commissioners Meeting November 1, 2010