

NOTICE OF AND AGENDA FOR:
REGULAR MEETING
HOWARD COUNTY COUNCIL

HOWARD COUNTY ADMINISTRATION CENTER
238 NORTH MAIN ST. ROOM 338 (3RD FLOOR)
KOKOMO, INDIANA 46901
DATE: MARCH 22, 2005 – TIME: 7:00 P.M.

- I. Opening of the Meeting and Approval of the Minutes
- II. Council Opening Comments
- III. Additional Appropriations
- IV. Transfers
- V. Old Business
- VI. New Business
 - Solid Waste- PERF for employees
 - Property Tax Penalty Discussion
- VII. Personnel Issues and/or other Miscellaneous Business
- VIII. Adjournment

COUNCIL MEMBERS:
RICHARD MILLER, PRESIDENT
JAMES PAPACEK, VICE-PRESIDENT
DWIGHT SINGER, JR., MEMBER
LESLIE ELLISON, MEMBER
STANLEY ORTMAN, MEMBER
JOSEPH A PENCEK, MEMBER
JEFFREY STOUT, MEMBER

HOWARD COUNTY COUNCIL REGULAR MEETING FEBRUARY 22nd, 2005.

The Howard County Council met Tuesday, February 22nd, 2005 at 7:00 p.m., in Room 338 of the Howard County Administration Center. Those present were Council Vice President James Papacek and Council Members Dwight Singer, Stanley Ortman, Jeffrey Stout, Leslie Ellison, and Joseph Pencek. Also present were County Attorney Larry Murrell and Auditor Ann Wells. Council President Richard Miller was unable to attend the meeting.

The meeting was called to order by Sheriff Marshall Talbert and conducted by Vice President James Papacek.

The minutes of the January 25th, 2005 Regular Meeting, having been previously reviewed, were considered. Mr. Singer made a motion, seconded by Mr. Stout, to approve the minutes as presented. The motion carried.

IN THE MATTER OF JAIL REFINANCING – Resolution No. 2005-HCC-04:

Financial Advisor Daniel R. Kramer of Crowe Chizek and Company LLC and Mr. Rick Hall, Barnes and Thornburg LLP, presented the following information regarding the refinancing of the Jail Bonds.

The Juvenile Detention Center Building Corporation Bonds were issued in 1995 in the amount of \$18,450,000.00 to refund the original 1991-1992 bonds. Mr. Kramer described the method used to determine if Howard County would economically benefit from refunding the bonds. The interest rate on the new issue would be approximately 3.25% compared to the interest rate of 5.40% for the current bonds. Based on the current interest rate the annual savings would average between \$58,000.00 to \$60,000.00 for Budget years 2005 through 2011. Due to the assessed valuation the tax rate decrease would be only about 0.15 of a cent, or approximately \$50,000.00. The principal of one bond issue is approximately \$10,000,000.00.

Commissioner President Paul Raver inquired about shortening the bond issue instead of taking the savings the form of reduced payments each year. Mr. Kramer explained that because of the prior debt service of approximately \$1,710,000.00, shortening the bond issue would not be much of a savings to the County. The most change that could occur would be a reduction of the final payment.

Mr. Hall stated that the Building Corporation holds the actual title to the property and has a lease agreement with Howard County. Mr. Hall explained the Building Corporation would issue the new bonds and the lease would be amended to correspond with the new lower debt service. The bonds cannot be closed before April 15th, 2005 because of tax regulations. Mr. Hall anticipates the new bonds to be sold sometime in March 2005 with a closing date in April 2005.

Mr. Ortman made a motion to approve Resolution No. 2005-HCC-04. Mr. Singer seconded the motion, and it carried.

ORDINANCE NO. 2005-HCC-08 - ADDITIONAL APPROPRIATIONS:

Ordinance No. 2005-HCC-08 was read in full for the first time by Auditor Ann Wells, and read in full for the second time by Vice President James Papacek. Ordinance No. 2005-HCC-08 was presented and acted upon as follows:

APPROPRIATIONS REQUESTED:

001 HOWARD COUNTY GENERAL FUND:

005 HOWARD COUNTY SHERIFF'S DEPARTMENT

		REQUESTED:	APPROVED:
03263.00	Medical & Hospital Services	\$ 75,000.00	\$ 75,000.00

Sheriff Marshall Talbert said \$75,000.00 was appropriated to this line item for the Budget in 2005. After the first of the 2005-year the jail received statements for approximately \$61,000.00 in medical bills from Howard Regional Health System. Some of the expenses were carried over from 2004. A portion of the expenses incurred when an inmate injured himself several times and another inmate required surgery. This left a balance of approximately \$1,100.00 in the Medical & Hospital Services account. Discussion ensued that the Jail does not receive any

discounts and pays the full amount of medical expenses. Sheriff Talbert requested an additional \$75,000.00 to cover the medical services through to the end of the year.

Mr. Singer made a motion to approve \$75,000.00 to Line Item 03263.00 Medical & Hospital Services in Account 005 Howard County Sheriff's Department. Mr. Ortman seconded the motion, which carried.

023 HOWARD COUNTY COMMISSIONERS

01115.01	Part-time Legal Secretary	\$	17,500.00	\$	17,500.00
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Commissioner Raver reported that the PAC recommended approval of a new part-time legal secretary position to assist the County Attorney. The Commissioners concurred with the PAC's recommendation to approve the new part-time position for an annual salary of \$17,500.00 with the salary/hourly rate based on experience, effective March 1, 2005.

A motion was made by Mr. Singer to allocate \$17,500.00 to Line Item 01115.01 Part-time Legal Secretary in account 023 Howard County Commissioners. Mr. Ortman seconded the motion, and it carried.

Total Howard County General Fund		\$	92,500.00	\$	92,500.00
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010 HOWARD COUNTY HEALTH DEPARTMENT:

01116.01	Part-time Environmentalist	\$	20,000.00	\$	20,000.00
Total Health Department Fund		\$	20,000.00	\$	20,000.00

Executive Director Kris Conyers explained this position was inadvertently omitted from the Budget for 2005. The employee would primarily work with the food service of the Health Department.

Mr. Ortman made a motion to appropriate \$20,000.00 to Line Item 01116.01 in Account 010 as read. Seconded by Mr. Stout, the motion carried.

020 HOWARD COUNTY SHERIFF DEPARTMENT ACCIDENT REPORT FUND:

03230.00	Radar Certifications	\$	1,200.00	\$	1,200.00
04710.00	Equipment	\$	2,600.00	\$	2,600.00
Total Accident Report Fund		\$	3,800.00	\$	3,800.00

Sheriff Talbert explained this fund is generated by the sale of accident reports. Each year the frequency for radars is required to be checked and certified by an FCC licensed technician. The cost to check the 24 radars is \$50.00 each for a total of \$1,200.00.

The Sheriff's Department recently ordered five new vehicles. The Sheriff requested \$2,600.00 to install radar units in two of the new vehicles, which will be unmarked cars.

Mr. Stout made a motion to allocate a total of \$3,800.00 to the line items listed above in Account 020 Howard County Sheriff Department Accident Report Fund. Seconded by Mr. Pencek, the motion carried.

050 HOWARD COUNTY JURY PAY FUND:

03126.00	Jury Expenses	\$	25,000.00	\$	25,000.00
Total Jury Pay Fund		\$	25,000.00	\$	25,000.00

Money in this fund is generated from the collection of court user fees in order to supplement jury pay from the County General Fund. An appropriation of \$25,000.00 is anticipated to cover the jury expenses to the end of the year.

Mr. Singer made a motion to appropriate \$25,000.00 to Line Item 03126.00 in 050 Howard County Jury Pay Fund in order to supplement the jury expenses. Mr. Ortman seconded the motion, which carried.

104 HOWARD COUNTY JUVENILE SUPPLEMENTAL USER'S FEES FUND:

01111.00	Juvenile Secretary	\$	1,991.00	\$	1,991.00
01521.00	FICA	\$	152.31	\$	152.31
01522.00	PERF	\$	175.21	\$	175.21
Total Juvenile Supplemental User's Fees Fund		\$	2,318.52	\$	2,318.52

Chief Juvenile Probation Officer Don Travis explained this request is out of Probation Users Fund to bring the Juvenile Secretary salary in line with similar positions in the county. Based on the expanded job duties assigned to the position the PAC recommended approval of increasing the salary from \$24,199.00 to \$26,190.00 effective January 1, 2005.

Mr. Singer made a motion to appropriate \$2,318.52 to the line items listed above in Account 104 Howard County Juvenile Supplemental User's Fees Fund. Seconded by Mr. Stout, the motion carried.

125 HOWARD COUNTY PROSECUTOR'S TITLE IV-D FUND:

04722.00	Office Equipment	\$	12,000.00	\$	12,000.00
Total Prosecutor's IV-D Fund		\$	12,000.00	\$	12,000.00

The Title IV-D Fund is incentive money collected from the State based on the cases that the Prosecutor collects regarding child support. The \$12,000.00 was used to purchase a photocopy machine.

Mr. Stout made a motion to appropriate \$12,000.00 to Line Item 04722.00 Office Equipment in Account 125 Howard County Prosecutor's Title IV-D Fund. Mr. Ellison seconded the motion, and it carried.

137 HOWARD COUNTY HEALTH DEPARTMENT AIDS GRANT FUND:

01111.00	R.N. AIDS / Health Educator	\$	8,250.00	\$	8,250.00
01521.00	FICA	\$	632.00	\$	632.00
02370.00	HIV Testing Supplies	\$	468.00	\$	468.00
03213.00	Travel / Conferences & Workshops	\$	150.00	\$	150.00
03321.00	Mileage	\$	100.00	\$	100.00
03212.00	Postage	\$	200.00	\$	200.00
03253.00	Printing	\$	200.00	\$	200.00
Total AIDS Grant Fund		\$	10,000.00	\$	10,000.00

Ms. Conyers stated the HIV funding pays for R.N. Jane McIntyre to conduct HIV education and a portion of the HIV testing program. Approximately 350 HIV tests were performed in 2004.

Mr. Ortman made a motion to appropriate \$10,000.00 to the line items listed above in Account 137 Howard County Health Department Aids Grant Fund. Mr. Singer seconded the motion, which carried.

144 HOWARD COUNTY RECORDER PERPETUATION FUND:

02365.00	Repair & Maintenance Supplies	\$	5,000.00	\$	5,000.00
03213.00	Travel & Training	\$	1,000.00	\$	1,000.00
Total Recorder Perpetuation Fund		\$	6,000.00	\$	6,000.00

County Recorder Linda Koontz explained she inadvertently overlooked the funding for these two line items at budget time. She requested the usual \$5,000.00 appropriation for repair and maintenance supplies. Ms. Koontz requested \$1,000.00 in the travel and training line item to pay for two conferences and a trip to Michigan for training on e-recording and escrow software.

A motion was made by Mr. Singer to appropriate \$5,000.00 to Line Item 02365.00 and \$1,000.00 to Line Item 03213.00 for a total of \$6,000.00 out of Account 144 Howard County Recorder Perpetuation Fund. Mr. Ortman seconded the motion, which carried.

TOTAL ADDITIONAL APPROPRIATIONS ALL FUNDS		\$	171,618.52	\$	171,618.52
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IN THE MATTER OF RESOLUTION NO. 2005-HCC-02 --TRANSFERS:

Resolution No. 2005-HCC-02 addressing requested transfers was presented and read in full for Council information. The following actions were taken:

		TRANSFERS:			
FROM:			TO:	AMOUNT REQUESTED:	ALLOWED:
001	<u>HOWARD COUNTY GENERAL FUND:</u>				
<u>033</u>	<u>Superior Court III</u>				
01114.00	Clerk / Criminal (3)	1118.00	Clerk / Civil (2) <i>Title will change Criminal (2) Civil (3)</i>	\$ 31,367.00	\$ 31,367.00

Personnel Administrator Wanda McKillip represented this request on behalf of Superior Court III Judge Doug Tate. At the previous meeting Judge Tate requested and received an additional appropriation into Account 105 Supplemental Adult Probation User Fees for the salary of a clerk / criminal. Ms. McKillip explained that a clerk / criminal cannot be paid out of Line Item 01114.00 and the transfer is simply to move the funding to the proper line item.

<u>005</u>	<u>Howard County Sheriff Department</u>				
03253.00	Equipment Repair	02253.00	Equipment Repair –Supplies	\$ 12,000.00	\$ 12,000.00
02234.00	Dive Team - Supply	03725.00	Dive Team - Service	\$ 1,000.00	\$ 1,000.00
02237.00	Canine Supplies	03725.03	Canine – Services	\$ 1,000.00	\$ 1,000.00

Sheriff Talbert said it was necessary to modify these accounts to accommodate expenses for some supplies and services.

105	<u>HOWARD COUNTY ADULT PROBATION SUPPLEMENTAL FUND:</u>				
01115.00	Part-Time (Sup III)	01115.01	Clerk / Criminal (Sup III)	\$ 29,000.00	\$ 29,000.00
01115.00	Part-Time (Sup III)	01521.00	FICA	\$ 2,218.00	\$ 2,218.00
01115.00	Part-Time (Sup III)	01522.00	PERF	\$ 1,595.00	\$ 1,595.00
01115.00	Part-Time (Sup III)	01523.00	Insurance	\$ 5,171.00	\$ 5,171.00

Ms. McKillip explained these transfers work in conjunction with the transfers requested in Account 033 listed above.

Mr. Stout made a motion to approve the transfers in the line items as read in Accounts 033, 005, and Fund 105. Mr. Ellison seconded the motion, and it carried.

IN THE MATTER OF SALARY ORDINANCE NO. 2005-HCC-04 – AMENDING SALARY ORDINANCE FOR 2005:

A motion was made by Mr. Singer, seconded by Mr. Ellison, and carried to approve Amended Salary Ordinance 2005-HCC-04 as noted. The amended salaries, any changed position titles and all other pertinent information is shown as follows:

				REQUESTED:	APPROVED:
001	<u>HOWARD COUNTY GENERAL FUND:</u>				
<u>023</u>	<u>HOWARD COUNTY COMMISSIONERS LEGAL DEPARTMENT</u>				
1113.00	County Attorney / Coordinator <i>Yearly Salary (Effective 3/1/05)</i>			\$ 84,000.00	\$ 84,000.00
01115.01	Part-time Legal Secretary			\$ 17,500.00	\$ 17,500.00
104	<u>HOWARD COUNTY JUVENILE SUPPLEMENTAL USER'S FEES FUND:</u>				
01111.00	Juvenile Secretary <i>Regular Salary will include this Supplemental Pay</i>			\$ 1,991.00	\$ 1,991.00

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

County Assessor Ann Harrigan submitted a written request to appoint two individuals to the Property Tax Board of Appeals.

Indiana Code 6-1.1-28.1 requires the County fiscal body shall make two (2) of the four (4) appointments to the Property Tax Assessment Board of Appeals (PTBOA). One appointment must be a Republican and the other a Democrat. Mrs. Harrigan recommended Marilyn Beroshok (D), 921 S. Locke St., for the Democrat opening. Ms. Beroshok is an Indiana certified level two appraiser. Ralph Reddersdorf (R), 4400 N. Parkway Blvd., was recommended for the Republican opening

Mr. Ortman made a motion to appoint Marilyn Beroshok and Ralph Reddersdorf to the Property Tax Board of Appeals. Mr. Stout seconded the motion, and it carried.

IN THE MATTER OF SOLID WASTE BOARD:

Commissioner Raver explained that the Solid Waste Department is a separate taxing unit that is responsible for solid waste activities. The Solid Waste Board is comprised of the following members:

Commissioner Paul Raver	City Councilman Ralph Baer
Commissioner Bradley Bagwell	Mayor Matt McKillip
Commissioner John Harbaugh	Joyce Higgenbottom - Greentown
County Councilman Joe Pencek	Town Council Member

The Board is in the process of reorganizing following the resignation of Solid Waste Director Rob Whitacre. The Board met today on February 22nd to come up with an advertisement to fill the Director's position. In addition to this process the Board is working toward making the Solid Waste Department a part of a governmental unit. Board members were in agreement that the department should become part of the County government system including the county employee benefits and guidelines. The employees currently paid by contract services would need to be paid as county employees. Commissioner Raver said he would update the Council with further information as it becomes available.

IN THE MATTER OF PERSONNEL ADMINISTRATOR ISSUES:

Personnel Administrator Wanda McKillip presenting the following issues for Council information and approval:

1. **Amendment to Resolution No. 1998-HCC-21 – Business Travel Procedure:** The State approved mileage rate is \$0.34 per mile; the Federal approved mileage rate is \$0.40.5 per mile. The PAC recommends making an amendment to Resolution No. 1998-HCC-21, as amended, to increase mileage reimbursement for county employees utilizing their personal vehicle for County business from \$0.32 to \$0.34 per mile.

Mr. Stout made a motion to approve an amendment to Resolution No. 1998-HCC-21 to increase the mileage from \$0.32 to \$0.34 per mile, effective March 1, 2005. Seconded by Mr. Singer, the motion carried.

3. **Employment Agreement:** Mr. Singer made a motion to approve the full-time employment agreement with Mr. Larry Murrell to serve as County Attorney for the Board of Commissioners and the County Council effective March 1, 2005, with the option to renew it every two years. Mr. Stout seconded the motion, and it carried.

There being no further business to come before the Council, the meeting adjourned at 8:20 p.m. by consensus of the Council.

HOWARD COUNTY COUNCIL:

Richard H. Miller, President

James Papacek, Vice President

Joseph Pencek, Councilman

Dwight Singer, Jr., Councilman

Leslie Ellison, Councilman

Stanley Ortman, Councilman

Jeffrey Stout, Councilman

Attest:

ANN WELLS, AUDITOR
County Council Minutes, February 22nd, 2005

ORDINANCE NO. 2005-HCC-

- ADDITIONAL APPROPRIATIONS

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the 2005 annual budget, now therefore

BE IT ORDAINED by the County Council of Howard County, Indiana, that for the expenses of the taxing unit, the following additional sums of money are hereby appropriated out of the funds named and for the purposes specified, subject to the laws governing the same:

APPROPRIATIONS REQUESTED:

			REQUESTED:	APPROVED:
<u>150</u>	<u>Howard County Cumulative Capital Fund</u>			
<u>000</u>	<u>Howard County Maintenance</u>			
04721.00	Court House Repair	\$	3,200.00	_____
<u>000</u>	<u>Kinsey Youth Center</u>			_____
04335.00	Vehicle Purchase	\$	30,000.00	_____
04335.01	Building Repair	\$	2,140.00	_____
Total Cumulative Capital Fund		\$	35,340.00	_____
<u>006</u>	<u>Howard County Cumulative Bridge Fund</u>			
32250.00	Repair by Contract	\$	200,000.00	_____
33718.00	B-129 Webster Street	\$	50,000.00	_____
33719.00	B-157 CR 125	\$	90,000.00	_____
Total Cumulative Bridge Fund		\$	340,000.00	_____
<u>105</u>	<u>Howard County Adult Probation User Fee Fund</u>			
01119.00	Overtime - Superior Court I	\$	3,222.00	_____
03263.01	Service Contract - Superior Court III	\$	1,522.00	_____
Total Adult Probation User Fee Fund		\$	4,744.00	_____
	<u>Howard County Prosecutor Title IV-D Incentive Fund</u>			
<u>125</u>	<u>Fund</u>			
01115.00	Part-Time / Overtime	\$	5,000.00	_____
Total Title IV-D Incentive Fund		\$	5,000.00	_____
	<u>Howard County Sheriff Department LEEF Training Fund</u>			
<u>182</u>	<u>Training Fund</u>			
03213.00	Training	\$	561.00	_____
Total LEEF Training Fund		\$	561.00	_____
	<u>Howard County Prosecutor Law Enforcement Fund</u>			
<u>198</u>	<u>Fund</u>			
02321.00	Gasoline	\$	800.00	_____
Total Law Enforcement Fund		\$	800.00	_____
	<u>Howard County Sheriff Department Misdemeanant Fund</u>			
<u>515</u>	<u>Misdemeanant Fund</u>			
03726.00	Automobile Customization	\$	21,000.00	_____
Total Misdemeanant Fund		\$	21,000.00	_____

TOTAL ADDITIONAL APPROPRIATIONS ALL FUNDS

\$ 407,445.00

Presented to the Council of Howard County, Indiana, and read in full for the first time this 22nd day of March 2005.

Richard Miller, President

Read in full for the second time and adopted this 22nd day of March 2005.

Nay

Aye

Attest:

Ann Wells, Auditor

SALARY ORDINANCE NO. 2005-HCC- _____ - AMENDING SALARY ORDINANCE FOR 2005

AN ORDINANCE amending and increasing staffing and salary authorization to be paid county employees for the calendar year effective January 1, 2005 through December 31, 2005, as originally approved for the year 2005, except where otherwise noted.

BE IT ORDAINED by the County Council of Howard County, Indiana that for the said fiscal year the following salary amendments are approved as additional changes to the basic salary ordinance for the same fiscal year. Necessary personal services appropriations have been approved previously to support the required expenditure of necessary funds.

	REQUESTED:	APPROVED:
<u>105</u> <u>Howard County Adult Probation User Fee Fund</u>		
01119.00 Overtime - Superior Court I	\$ 3,222.00	_____
<i>To Pay Previously Accrued Time</i>		

<u>125</u> <u>Howard County Prosecutor Title IV-D Incentive Fund</u>		
01115.00 Part-Time / Overtime	\$ 5,000.00	_____

Presented to the Council of Howard County, Indiana, and read in full for the first time this 22nd day of March 2005.

Richard Miller, President

Read in full for the second time and adopted this 22nd day of March 2005.

Nay

Aye

Attest:

Ann Wells, Auditor