

## **HOWARD COUNTY COUNCIL REGULAR MEETING MAY 17, 2005**

The Howard County Council met Tuesday, May 17, 2005 at 7:00 p.m., in room 338 of the Howard County Administration Center. Those present included Council President Richard Miller, Council Vice President James Papacek and Council Members Joseph Pencek and Dwight Signer, Jr. Also present were County Attorney Larry Murrell and Auditor Ann Wells.

The meeting was called to order by Sheriff Marshall Talbert and conducted by President Richard Miller.

The minutes of the April 26, 2005 Regular Meeting, having been previously reviewed, were considered and approved as submitted, by a motion made by Mr. Papacek, seconded by Mr. Pencek and carried.

### **IN THE MATTER OF COUNCIL OPENING COMMENTS:**

Mr. Miller made mention of the Grand Reopening of the Johanning Civic Center and the various activities and guests of the day. On behalf of the Council, Mr. Miller expressed thanks to Councilman Singer for his leadership as the Council Representative and Chairman of the Civic Center Board, through deep waters as well as good times. Mr. Singer, in turn, thanked the County Council and the Board of Commissioners for their support.

### **ORDINANCE NO. 2005-HCC-20-ADDITIONAL APPROPRIATIONS:**

Ordinance No. 2005-HCC-20 was read in full by Auditor Ann Wells. Ordinance No. 2005-HCC-20 was acted upon as follows:

#### **APPROPRIATIONS REQUESTED:**

<b><u>001</u></b>	<b><u>Howard County General Fund</u></b>	<b><u>REQUESTED</u></b>	<b><u>APPROVED</u></b>
<b><u>008</u></b>	<b><u>Howard County Superior Court II</u></b>		
03112.00	Translator	\$ 300.00	\$ 300.00
04724.00	Law Books	\$ 3,000.00	\$ 3,000.00

Superior Court II Judge Stephen Jessup presented a request for funds for a translator, to meet the needs of the Latino cases being presented in his court. Judge Jessup also presented a list of law books and publications still needed by his office for the remainder of 2005. These books are not new and the amounts were also submitted, totaling \$3,000.00.

A motion was made by Mr. Papacek, seconded by Mr. Singer and carried to approve the request of \$300.00 to line item 03112.00, Translator and \$3,000.00 to line item 04724.00, Law Books.

<b><u>009</u></b>	<b><u>Howard County Coroner</u></b>		
04722.00	Equipment	\$ 1,200.00	\$ 1,200.00

The Board of Commissioners approved a request from the Coroner's Office for Digital Cameras and related equipment, then forwarded the request to the County Council (*for related discussion see page 6 of the May 2<sup>nd</sup> Board of Commissioner minutes, "In the matter of Digital Camera request for the Coroner's Office"*). Mr. Singer presented the request for purchase from line item 04722.00, Equipment.

On a motion made by Mr. Singer, seconded by Mr. Papacek and carried, \$1,200.00 was approved to County Coroner Equipment line item 04722.00.

<b><u>014</u></b>	<b><u>Howard County Superior Court I</u></b>		
01115.00	Part Time Clerical	\$ 15,600.00	\$ 15,600.00

Superior Court I Judge William Menges, was in attendance to present a request for \$15,600.00 in line item 01115.00, Part Time Clerical. He reminded the Council of his request for a bailiff's position during the January 2005 meeting (*for related discussion see page 2 of the County Council Regular Meeting January 25<sup>th</sup>, 2005*), and their denial, asking Judge Menges to come back to the Council when the part-time monies have been depleted.

Those monies will be depleted in three weeks' time, so Mr. Menges is here to request more funds in the part time line item. He did want to inform the Council that the Court Secretary resigned her position on April 28<sup>th</sup> and the part time/full time employee was asked to fill that position. Another part time/full time employee was hired and all full time employees, at this time, have accumulated compensatory time.

Mr. Papacek was concerned about the number of votes needed to change a salary position. County Attorney Murrell commented that this was an appropriation request for part time monies and only required a majority vote. To change the salary would require five votes.

A motion was made by Mr. Papacek to approve the additional appropriation of \$15,600.00 into line item 01115.00, Part time Clerical. The motion was seconded by Mr. Singer and carried.

<b>Total County General Fund</b>		<b>\$</b>	<b>21,100.00</b>	<b>\$</b>	<b>21,100.00</b>
<b><u>150</u></b>	<b><u>Howard County Cumulative Capital</u></b>				
<b><u>001</u></b>	<b><u>Howard County Information Systems</u></b>				
03246.00	Computer Maintenance	\$	15,100.00	\$	15,100.00
<b><u>000</u></b>	<b><u>Cumulative Capital</u></b>				
04305.00	Repairs Building & Structures	\$	15,000.00	\$	15,000.00
04210.00	Equipment (Coroner Camera)	\$	1,200.00	\$	- 0 -
04210.00	Equipment (Vehicle Purchase EMA/County Share)	\$	14,000.00	\$	14,000.00

Due to the recent surgery of Terry Tribby, Information Systems Director, Mr. Paul Raver presented the request for \$15,100.00 in line item 03246.00, Computer Maintenance. This amount represents the monies taken from Computer Maintenance to cover the costs of the security cameras purchased and installed in the Administration Center, just prior to tax paying time (*for related discussion please refer to page 6 of the County Council Regular Meeting Minutes dated March 22<sup>nd</sup>, 2005, "In The Matter of Information Systems Issues", item 1*).

Sheriff Talbert informed the Council of the need for \$15,000.00 in line item 04305.00. He explained that when January's request of \$3,000.00 was submitted and approved, it did not begin to cover all the needs for the year. An issue that has surfaced since that request, for example, is the need for plumbing repairs that were addressed by the Board of Commissioners in the May 16<sup>th</sup>, 2005 meeting (*for related discussion please see page 2 of the County Board of Commissioner Meeting May 16<sup>th</sup>, 2005, item 6*).

Mr. Raver called the Council's attention to the fact that the \$1,200.00 request for Cameras and related equipment, for the Coroner's office, was previously approved out of County General.

Mr. Larry Smith, Director of Emergency Management, came to the Board of Commissioners with a proposal to purchase a used 1978 tanker truck from Ft. Myers, Florida, at a cost of \$31,000.00 (*for related discussion refer to page 7 of the County Board of Commissioner minutes dated April 18, 2005, "In the Matter of Emergency Management Agency Issue"*). It was decided, at that time, to request an additional appropriation from the Council for 45% of the cost (\$14,000.00, according the agreement with the city).

Mr. Raver took the time to inform the Council that the bids for the Administration Center and Howard Haven Roofing projects were opened at the May 16, 2005 Commissioner meeting (*see page 2 of the May 16, 2005 Howard County Commissioner Meeting, "In The Matter of the Opening of Bids"*). Those bids were taken under advisement for Attorney and Maintenance Department review.

A motion was made by Mr. Papacek to approve \$15,100.00 in Cumulative Capital Fund, Information Systems line item 03246.00 Computer Maintenance, \$15,000.00 in Cumulative Capital Fund line item 04305.00, Sheriff Repairs Building & Structures, \$14,000.00 in line item 04210.00, Equipment. The motion was seconded by Mr. Singer and carried.

<b>Total Cumulative Capital Fund</b>		<b>\$</b>	<b>45,300.00</b>	<b>\$</b>	<b>44,100.00</b>
<b><u>165</u></b>	<b><u>Howard County ISDH Mosquito Grant Fund</u></b>				
02360.00	Supplies	\$	1,000.00	\$	1,000.00
03253.00	Educational Books & Pamphlets	\$	250.00	\$	250.00

04720.00	Equipment	\$	250.00	\$	250.00
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Ms. Sue Norris, Environmental Coordinator for the Health Department, informed the Council of the State Department of Health's approval of an additional \$1,500.00 for the Mosquito Grant Fund, on a reimbursable basis. This money is available for any legitimate purpose having to do with West Nile Virus prevention, and the Department of Health asks for appropriations for supplies and equipment. They have already begun treatment of some breeding sites. This Grant money was made available and used by the Department of Health in 2004, so it was made available to Howard County again, in 2005.

A motion was made by Mr. Papacek and seconded by Mr. Pencek, to approve the request for \$1,000.00 in line item 02360.00, Supplies, \$250.00 in line item 03253.00, Educational Books & Pamphlets, and \$250.00 in line item 04720.00, Equipment. The motion carried.

<b>Total Howard County ISDH Mosquito Grant Fund</b>		\$	<b>1,500.00</b>	\$	<b>1,500.00</b>
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<b>924</b>	<b><u>Howard County Community Corrections Fund</u></b>				
15200.00	Insurance	\$	9,500.00	\$	9,500.00

Chief Deputy Auditor, Laurie Roper, explained to the Council that the present fund will be ending it's year June 30<sup>th</sup>, and that additional monies were needed to cover the cost of employee insurance through the end of June.

The amount of \$9,500.00 in line item 15200.00, Insurance, was approved on a motion made by Mr. Singer, seconded by Mr. Papacek and carried.

<b>Total Howard County Community Corrections Fund</b>		\$	<b>9,500.00</b>	\$	<b>9,500.00</b>
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<b>500</b>	<b><u>Howard County CEDIT Fund</u></b>				
04733.01	Arson Dog / Contribution	\$	2,000.00	\$	2,000.00

Mr. Steve Stackhouse, Assistant Arson Investigator for the Kokomo Fire Department presented a need for an arson dog at the previous Council meeting (*for related discussion refer to page 4 of the minutes of the Howard County Council Regular Meeting April 26, 2005, "In The Matter Of New Business"*).

When Mr. Miller asked if there were any additional comments or questions, Mr. Papacek gave his support for the project, saying it was a "good expenditure of county money and a good example of the city and county working together..." The Council approved the additional appropriation of \$2,000.00 in line item 04733.01 on a motion made by Mr. Papacek, seconded by Mr. Pencek and carried.

<b>Total Howard County CEDIT Fund</b>		\$	<b>2,000.00</b>	\$	<b>2,000.00</b>
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<b>Total Additional Appropriations All Funds</b>		\$	<b>78,400.00</b>	\$	<b>77,200.00</b>
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#### **IN THE MATTER OF THE KINSEY YOUTH CENTER VEHICLE REQUEST:**

Ms. Jan Weaver, Kinsey Youth Center Director, was in attendance to resubmit her request for a new vehicle to be paid from the Cumulative Capital Funds (*for related discussion see page 3 of the County Council Regular Meeting Minutes dated April 26, 2005, 04335.00, Vehicle {Kinsey Youth Center}*). She submitted a quote from Erik's Chevrolet, a Trail Blazer in the amount of \$25,932.76, and from Button Motors, a Durango in the amount of \$28,724.00 for comparison purposes only. She felt sure that she could get a vehicle to fit the Center's needs for \$25,000.00 and Mr. Murrell reminded her of the quote process she would need to follow.

A motion was made by Mr. Papacek, seconded by Mr. Pencek and carried to approve the amount of \$25,000.00 for the purchase of a vehicle for Kinsey Youth Center.

#### **IN THE MATTER OF RESOLUTION NO. 2005-HCC-21 TRANSFERS:**

Resolution No. 2005-HCC-21 addressing requested transfers was presented and read in full by Auditor Ann Wells. The following actions were taken:

	TRANSFERS FROM:	TO:	AMOUNT REQUESTED	ALLOWED
<b>001</b>	<b><u>Howard County General Fund</u></b>			
<b>033</b>	<b><u>Howard Superior Court III</u></b>			
02360.00	Office Supplies	04725.00 Office Equipment & Furniture	\$ 309.00	\$ 309.00

Because the court needed to buy office equipment but had no line item to take the money from, the Auditor's Office set up a new account number and requested Superior Court III to transfer funds from Office Supplies into Office Equipment.

<b>005</b>	<b><u>Howard County Sheriff Department</u></b>			
01118.03	Temp Sergeant	01119.07 Deputy Overtime	\$ 15,000.00	\$ 15,000.00
01113.00	Deputies	01115.02 Part Time Clerical	\$ 1,500.00	\$ 1,500.00
01119.06	Asst Cook	01115.02 Part Time Clerical	\$ 3,000.00	\$ 3,000.00
01119.01	Correction Officer	01122.00 Correction Off Over	\$ 16,500.00	\$ 16,500.00
01125.00	Nurse Administrator	01122.00 Correction Off Over	\$ 5,000.00	\$ 5,000.00

Sheriff Talbert explained that with several Deputies and Corrections Officers serving active duty with the military, it has created a need for overtime hours. When an inmate has to be hospitalized, a corrections officer has to be on duty around the clock. The aforementioned accounts are not depleted at this point; Sheriff Talbert is looking to provide for these changes to carry the department through the end of the fiscal year.

<b>500</b>	<b><u>Howard County CEDIT Fund</u></b>			
04305.01	IDACS	02360.00 Supplies	\$ 4,000.00	\$ 4,000.00

Loretta Moon, Chief Matron / Personnel Director of the Sheriff's Department, commented on the need for more money in the IDACS supply line item. Since the IDACS system has been made windows based, there is no longer the need to maintain or use some of the old, antiquated equipment; some of those funds can be transferred into supplies.

<b>923</b>	<b><u>Howard County Community Corrections</u></b>			
13000.00	Unemployment	15800.00 PERF	\$ 615.00	\$ 615.00
12000.00	Worker compensation	15800.00 PERF	\$ 430.00	\$ 430.00
13000.00	Unemployment	15000.00 FICA	\$ 30.00	\$ 30.00

<b>924</b>	<b><u>Howard County Community Corrections</u></b>			
12000.00	Worker Compensation	15800.00 PERF	\$ 1,724.00	\$ 1,724.00
13000.00	Unemployment	15000.00 FICA	\$ 2,385.00	\$ 2,385.00
13000.00	Unemployment	15800.00 PERF	\$ 200.00	\$ 200.00
15200.00	Insurance	15800.00 PERF	\$ 1,000.00	\$ 1,000.00

<b>925</b>	<b><u>Howard County Community Corrections</u></b>			
15200.00	Insurance	15800.00 PERF	\$ 1,346.00	\$ 1,346.00
12000.00	Worker Compensation	15800.00 PERF	\$ 1,035.00	\$ 1,035.00
13000.00	Unemployment	15800.00 PERF	\$ 174.00	\$ 174.00
13000.00	Unemployment	15000.00 FICA	\$ 1,380.00	\$ 1,380.00

The fiscal year for the Community Corrections Grants will end June 30. These transfers are to clean up the funds and add monies, as needed, in the PERF and FICA line items.

On a motion made by Mr. Papacek, seconded by Mr. Singer and carried, Resolution No. 2005-HCC-21 was approved as submitted.

**IN THE MATTER OF SALARY ORDINANCE NO. 2005-HCC-27 AMENDING SALARY ORDINANCE FOR 2005:**

Salary Ordinance No. 2005-HCC-27 was read by Auditor Ann Wells. Because this Ordinance is not changing a fixed salary (just additional monies in the part time line item) it does not need a super-majority vote, only a majority vote. A motion was made by Mr. Singer, seconded by Mr. Papacek and carried to approve Salary Ordinance No. 2005-HCC-27 amending Salary Ordinance for 2005.

**IN THE MATTER OF RESOLUTION HCC-2005-10:**

This is a resolution approving a county and municipality joint highway maintenance agreement, concerning the maintenance of traffic signals in Howard County; this was previously approved by the Board of Commissioners at the May 16<sup>th</sup>, 2005 meeting (*please refer to page 1, item 4 “In the Matter of Highway Issues”, May 16, 2005 Commissioner Meeting Minutes*). This resolution clarifies the traffic signals that are in county jurisdiction, so proper reimbursement for maintenance costs can be shared.

A motion was made by Mr. Papacek to approve Resolution HCC-2005-10. The motion was seconded by Mr. Singer and carried.

**IN THE MATTER OF RESOLUTION HCC-2005-13, THE INDIANA STATEWIDE MUTUAL AID AGREEMENT FOR DISTRICT #6:**

Mr. Ryan Nehl, Public Health Coordinator for the Department of Health, presented the Indiana Statewide Mutual Aid Agreement for District #6 to the County Council, for their approval. This agreement was previously submitted to the Board of Commissioners for their approval and signatures, at the May 16<sup>th</sup> 2005 meeting (*refer to page 4, item 2, “In The Matter of Department of Health Issues”*). This statewide mutual agreement addresses the rendering of aid to other counties, in the event of a hazard or disaster.

A motion was made by Mr. Papacek, seconded by Mr. Singer and carried to approve the Indiana Statewide Mutual Aid Agreement for District #6 and to direct the Auditor to assign a resolution number to the agreement. **The Agreement is listed as Resolution No. HCC-2005-13.**

**IN THE MATTER OF THE PUBLIC DEFENDER COMPREHENSIVE PLAN:**

Public Defender Steve Raquet was in attendance to address the Comprehensive Plan. In order for the Howard County Public Defender’s Office to be eligible for state reimbursement of funds (up to 40% of the entire budget, with the exceptions of Misdemeanant and CHINS {Children In Need of Services} cases), a comprehensive plan has to be approved by the State Public Defender Commission. Mr. Raquet continued to explain the additional appropriations needed to meet state commission guidelines.

Mr. Miller expressed concerns for this plan as follows:

1. The risk of not offering enough funds to be eligible for the 40% reimbursement.
2. Is there a legal precedent if you do not have all that was budgeted, after the commitment has been made?
3. The amount of additional rules for the eligibility process.

County Attorney Larry Murrell had the following comments concerning the Comprehensive Plan:

1. He believes that the plan, with its increased number of workers and investigators, would help move the people through the system more easily and possibly, offer an even higher level of representation, considering the increasing case load.
2. If the standard is set, but cannot be met, the county could be in an unfortunate situation. He believes it is highly beneficial, but “premature to jump on board at this time “.

Mr. Murrell appreciates the creation of the Public Defenders Advisory Board and would like them to work with the Criminal Justice Committee.

Mr. Papacek agreed with comments previously voiced, and further concluded it was beyond the county's means to fund at this time.

Judge William Menges, former Public Defender, commented that, compared to other counties in Indiana, the Howard County Public Defenders Office is very successful. The intent of the State Public Defender's Commission is to help other counties come into compliance with state standards.

Mr. Raquet called the Council's attention that, at the present time, there are six (6) deputy defenders servicing three courts. They average one hundred twenty to one hundred thirty felony cases per deputy, double the commission guidelines of seventy-five.

It's was the Council's consensus to table this request with the intent of revisiting after the 2006 budget hearings.

**IN THE MATTER OF THE CHECK FROM DEPARTMENT OF CORRECTIONS:**

Sheriff Talbert submitted a check from the Department of Corrections in the amount of \$19,355: that amounts to about \$174,000.00 in the last four months.

There being no further business to come before the Council, a motion was made by Mr. Papacek, seconded by Mr. Singer and carried to adjourn. The meeting was adjourned at 8:35 p.m.

**HOWARD COUNTY COUNCIL**

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RICHARD MILLER, PRESIDENT

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JAMES PAPACEK, VICE PRESIDENT

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JOSEPH PENCEK, COUNCILMAN

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DWIGHT SINGER JR., COUNCILMAN

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LESLIE ELLISON, COUNCILMAN

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STANLEY ORTMAN, COUNCILMAN

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JEFFREY STOUT, COUNCILMAN

ATTEST:

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ANN WELLS, AUDITOR

County Council Minutes, May 17, 2005