

HOWARD COUNTY COUNCIL REGULAR MEETING MAY 23, 2006

The Howard County Council met Tuesday, May 23, 2006 at 7:00 p.m., in Room 338 of the Howard County Administration Center. Those present included Council President Richard H. Miller, Council Vice President James Papacek, Council Members Dwight Singer Jr., Stan Ortman, Leslie Ellison and Joseph Pencek. Also in attendance were Attorney Larry Murrell and Auditor Ann Wells.

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

IN THE MATTER OF APPROVAL OF MINUTES:

The minutes of the April 25, 2006 meeting, having been previously submitted, were reviewed. The appropriations approved for the Howard County Community Drug Free Fund were called to question. Attorney Larry Murrell made reference to the small print on page three. He and Auditor Wells explained that the asterisked amounts were estimates before the LCC meeting on the morning of April 25th. The LCC approved those amounts and so they were not estimates when submitted to the Council. Mr. Murrell suggests that the first sentence of the small print be stricken from the minutes (*"The asterisk (*) indicates estimated Grant Amounts: Applications must be presented to the LCC and be processed for final approval"*). On a motion made by Mr. Singer and seconded by Mr. Ortman the minutes were approved as amended.

IN THE MATTER OF COUNCIL COMMENT:

President Miller opened the meeting for Council comment. Vice President Papacek asked the members to please turn in Historical Society surveys that were previously submitted.

IN THE MATTER OF ORDINANCE NO. 2006-HCC-21 - ADDITIONAL APPROPRIATIONS:

Ordinance No. 2006-HCC-21 was read in full and acted upon as follows:

APPROPRIATIONS REQUESTED:

<u>001</u>	<u>Howard County General Fund</u>	REQUESTED:	APPROVED:
<u>005</u>	<u>Howard County Sheriff</u>		
01122.00	Overtime - Correction Officer	\$ 25,000.00	\$ 25,000.00

Sheriff Talbert requested additional funds to cover overtime for officers covering FMLA departures and inmate security needs at hospitals. Ms. Ree Moon explained future plans to hire more part time officers and transfer funds to help alleviate the need for future requests. Two additional officers are close to completing their training.

On a motion made by Mr. Papacek and seconded by Mr. Singer, the request of \$25,000.00 to 01122.00, Overtime - Correction Officer was approved.

<u>009</u>	<u>Howard County Coroner</u>		
03263.02	Autopsy / Lab Fees	\$ 10,000.00	\$ 10,000.00

Coroner Brad Bray submitted the request for \$10,000.00 for Autopsy and Lab Fees. The case load keeps growing and a portion of the request will pay pending invoices. Mr. Bray believes this request will be sufficient for the next few months.

On a motion made by Mr. Singer and seconded by Mr. Ellison, the request of \$10,000.00 in line item 03263.02, Autopsy / Lab Fees was approved.

<u>017</u>	<u>Voter Registration</u>		
01114.00	Part Time Clerical	\$ 15,500.00	\$ 15,500.00

Ms. Carol Shallenberger explained to the Council the need for more funds in the Part Time Clerical lines. She and Ms. McCoy were diligent in working their part time staff sparingly and have made it through the Primary Election. They need more funds to prepare for the General Election in November. They will work half of the staff for sixteen weeks (four days) and the full staff for eight weeks (five days a week around election time). They will be posting voting records, address

changes and corrections, completing registrations, then prepare for the General Elections. Mr. Papacek commented that the new HAVA system seemed to create more work and cost the County more money; he fails to see how the new program is beneficial. Ms. Shallenberger reminded the Council that if they did not use the program, the elections would not be certified. Commissioner Bagwell stated that some of the extra work was due to the fact that books were also printed from the old system, at his suggestion, in case there were errors in the State's system.

A motion was made by Mr. Ortman, seconded by Mr. Ellison and carried to approve \$15,500.00 in line item 01114.00, Part Time Clerical.

<u>023</u>	<u>Howard County Commissioner</u>		
01522.00	PERF	\$ 42,000.00	\$ 42,000.00
01521.00	FICA	\$ 35,000.00	\$ 35,000.00

Chief Deputy Auditor Roper explained that these requests are to cover the benefit expenditures of Superior Court IV employees covered by the additional levy.

A motion was made by Mr. Papacek to approve the requests of \$42,000.00 in line item 01522.00, PERF and \$35,000.00 in line item 01521.00, FICA. The motion was seconded by Mr. Singer and carried.

<u>030</u>	<u>Howard County Public Defender</u>		
01113.00	Deputy 165 days @ 33,944.00	\$ 21,542.00	\$ 21,542.00
01115.00	Secretary 165 days @ 11,964.00	\$ 7,593.00	\$ 7,593.00

President Miller reminded the Council of the request for new employees made by Chief Public Defender Steve Raquet at the Council Meeting in March (*please refer to page three, "In The Matter Of Additional Employee For Public Defender's Office", of Regular Council Meeting minutes dated March 28, 2006*).

A motion was made by Mr. Ortman to approve the request of \$21,542.00 in line item 01113.00, Deputy and \$7,593.00 in line item 01115.00, Secretary. The motion was seconded by Mr. Pencek and carried.

<u>033</u>	<u>Howard County Superior Court III</u>		
04724.00	Law Books	\$ 114.52	\$ 114.52

Judge Doug Tate from Howard County Superior Court III requested additional funds in the amount of \$114.52 for law books. He also took this opportunity to request the hiring of two summer interns at \$8.00 per hour, to scan old docket cards into the system and dismissing No Contact Orders. The cost will be estimated at \$6,000.00 to be paid from Informal Probation User Fees and Judge Tate would like to begin the project June 1, 2006.

A motion was made by Mr. Papacek, seconded by Mr. Singer and carried to approve the request of \$114.52 in line item 04724.00 Law Books. By consensus of the Council, Judge Tate will pay the interns out of Part Time money from Informal Probation User Fees and apply for an Additional Appropriation, if needed.

Total County General Funds	\$ 156,749.52	\$ 156,749.52
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<u>500</u>	<u>Howard County CREDIT Fund</u>		
03700.00	Economic Development Study	\$ 6,500.00	\$ 6,500.00
03701.00	Jail Study	\$ 16,500.00	\$ 16,500.00

Commissioner Brad Bagwell reminded the Council of requests made at the March 23rd Council Meeting (*please refer to page four, "In The Matter Of The Study Of The Economic Development Organizations" and "In The Matter Of A Study For Criminal Justice Center Contingency Plan", of the regular meeting minutes dated March 23, 2006*).

At the conclusion of questions and discussion, Vice President Papacek suggested that the two issues have separate Council action. A motion was made by Mr. Papacek, seconded by Mr. Ellison and carried to approve \$6,500.00 in line item 03700.00, Economic Development Study.

The consulting firm selected to do the Jail Study is American Consulting, Inc. Their representative responded to questions asked by Mr. Papacek and Mr. Miller concerning an interest in the subsequent construction projects suggested by the study. He assured the Council that they were a consulting firm only.

The request for \$16,500.00 in line item 03701.00, Jail Study, was approved on a motion made by Mr. Papacek and seconded by Mr. Pencek.

<u>137</u>	<u>Howard County Health Department AIDS Grant</u>		
01111.00	HIV/AIDS Educator, RN	\$ 8,250.00	\$ 8,250.00
01521.00	FICA	\$ 632.00	\$ 632.00
02337.00	Medical Supplies	\$ 428.00	\$ 428.00
03260.00	Dues & Subscriptions	\$ 15.00	\$ 15.00
03213.00	Travel & Training	\$ 175.00	\$ 175.00
03212.00	Postage	\$ 300.00	\$ 300.00
03241.00	Printing	\$ 200.00	\$ 200.00

Ms. Kristine Conyers asked for approval for the appropriation of the HIV/ AIDS Grant. This is the sixth year for the grant from the Indiana Aids Fund. Ms. Conyers described the activities associated with the grant. The Health Department is the only facility that does HIV testing for Howard County. When asked the future of the grant, Ms. Conyers responded that it was unknown at this time. She did affirm that the State had been generous with their funds to Howard County and were pleased with Howard County's program.

A motion was made by Mr. Papacek, seconded by Mr. Singer and carried to approve the appropriation of the HIV / AIDS Grant as listed.

Total AIDS Grant	\$ 10,000.00	\$ 10,000.00
Total Additional All Funds	\$ 189,749.52	\$ 189,749.52

IN THE MATTER OF SALARY ORDINANCE NO. 2006-HCC-22 - AMENDING SALARY ORDINANCE FOR 2006:

<u>001</u>	<u>Howard County General Fund</u>		
<u>030</u>	<u>Howard County Public Defender</u>		
01113.00	Deputy	\$ 33,944.00	\$ 33,944.00
01115.00	Secretary	\$ 11,964.00	\$ 11,964.00

Salary Ordinance No. 2006-HCC-22 was approved, as read, on a motion made by Mr. Papacek and seconded by Mr. Ortman.

IN THE MATTER OF RESOLUTION NO. 2006-HCC-10:

A resolution of the Howard County Council approving an amended Interlocal Agreement providing for the continued operation of a joint Plan Commission Office was submitted by Attorney Larry Murrell. This Resolution has been approved by the City Council and the County Plan Commission. It has yet to be approved by the City Plan Commission and the County Council. When approval is complete, the agreement will be executed by the Mayor and the Board of Commissioners. A motion was made by Mr. Singer, seconded by Mr. Papacek and carried to approve Resolution No. 2006-HCC-10.

At the conclusion of the motion, Council Member Pencek asked the question that many people have had concerning the need for separate City and County Plan Commissions Boards. Clarification was given by President Miller and Commissioner Bagwell that included issues of zoning and septic requirements specific to the City and the County. They expressed hope that those issues could be negotiated some time in the future. As it stands, with the Board being separate but working out of the same office, they can help each other with the different requirements. Discussion ensued. Mr. Murrell informed the Council that after this agreement has been approved and executed, representatives from the City and the County will meet, periodically, to "review the Interlocal Agreement further, and also consider the effectiveness of the current joint office arrangement and report their conclusion to the parties (City and County) during the length of this agreement". Mr. Pencek expressed a desire that those representatives consider a joint Plan Commission Board.

IN THE MATTER OF SHERIFF ISSUES:

Sheriff Marshall Talbert presented the following issues for Council information and approval:

1. **Check from DOC:** Sheriff Talbert submitted a check to Howard County from the Department of Corrections, in the amount of \$8,785.00. This is a reimbursement for prisoner medical expenses.
2. **Commissary Report:** The April Commissary Report was submitted.
3. **Amendment of the Service of Process Fee Statute:** The State has amended the Service of Process Fee Statute to allow the Sheriff to collect a fee of \$13.00 "...from a party requesting service of a writ, an order, a process, a notice, a tax warrant, or any other paper completed by the sheriff". Under this new law, the Sheriff can collect \$13.00 per warrant for Indiana litigators (previously no fee was charged) and \$60.00 fee for out of State litigators (previously \$40.00). Fees collected will be dedicated to the Sheriff's Pension Trust. This is a separate fee from the \$13.00 fee per paper served that is currently being deposited into the Sheriff's Pension.
4. **Annual Inspection:** The annual Jail Inspection is scheduled for June 8, at 1:00 p.m. A luncheon will be served in the Garage from 11:00 a.m. - 1:00 p.m. All Council members are invited for lunch and inspection.

IN THE MATTER OF MAINTENANCE ISSUES:

Buildings and Grounds Supervisor Art Fross presented the following issues for Council information and approval:

1. **Drain Problem At County Home:** A tree is sitting close to the drain and there is a root problem that interferes with drainage. The Highway Department will bring a backhoe to the Home and dig around the system to insert PVC to help the present clay tiles. If that does not alleviate the problem, the tree will have to be removed.
2. **Storage Barn On Parking Lot:** The Storage Barn at the lot located on the corner of Mulberry and Buckeye Streets has been constructed. The electricity and alarm systems have been installed, along with a motion detector. Lawn mowing and snow removal equipment for the downtown buildings will be stored in the barn.
3. **Administration Center HVAC Project:** Drawings and specifications have been received from Vintage Archonics for the Administration Center HVAC Project. There will be a meeting between the County Attorney, Commissioner Raver, and the Maintenance Department concerning the documents received.
4. **Service Agreement for Courthouse HVAC System:** This Service Agreement with Trane Company, for the HVAC System at the Courthouse, was approved by the Board of Commissioners at their May 1st meeting (*please refer to page two, item two, "In The Matter Of Maintenance Issues" of the regular Commissioner meeting minutes dated May 1, 2006*). Trane has approved the changes made by Mr. Murrell and approved by the Board of Commissioners, and an amended copy of the agreement is presented to the Council in the amount of \$4,830.00. A motion was made by Mr. Singer, seconded by Mr. Ortman and carried to approve the Service Agreement with Trane Company.

IN THE MATTER OF HOWARD HAVEN ISSUES:

Howard Haven Superintendent Tom Tolen submitted copies of a Rent Income list showing rental amounts brought in for Howard Haven Residents, as well as monies spent from the 2006 Budget as of May 1, 2006. It is Mr. Tolen's goal to equip Howard Haven to run in the black. When that happens, it will be the only County Home in Indiana to do so. Mr. Tolen stated that when he first took the job he intended to run the Home more like a non-profit organization and less like a County Department. He is learning that they truly are a County Department with all the bureaucracy required, and not a not-for-profit organization. This fact prohibits them from receiving some grants and corporate donations or service projects. Mr. Tolen and his assistant, Marilyn Erb, have formed a volunteer not-for-profit organization called The Friends of Howard Haven, to help support the residents of Howard Haven. The President of the Board of Directors, Bob Croll, was in attendance to share information about the organization and answer any questions the Council might have.

Vice President Papacek commended and thanked Mr. Tolen and Mr. Croll for their efforts to support Howard Haven. He also commended Howard County residents for their generosity.

There being no further business to come before the Council at this time, the meeting was adjourned at 8:46 p.m. on a motion made by Mr. Papacek and seconded by Mr. Ortman.

HOWARD COUNTY COUNCIL:

RICHARD A. MILLER, PRESIDENT

JAMES PAPACEK, VICE PRESIDENT

DWIGHT SINGER, JR. COUNCILMAN

LESLIE ELLISON, COUNCILMAN

STANLEY ORTMAN, COUNCILMAN

JEFFREY A. STOUT, COUNCILMAN

JOSEPH A. PENCEK, COUNCILMAN

ATTEST:

ANN WELLS, AUDITOR
County Council Minutes May 23, 2006