

HOWARD COUNTY COUNCIL REGULAR MEETING JANUARY 22, 2008

The Howard County Council met Tuesday, January 22, 2008 at 7:00 p.m. in Room 338 of the Howard County Administration Center. Those present included Council President Richard Miller, Vice President James Papacek and Members Stanley Ortman, Jeff Stout, Joseph Pencek, Leslie Ellison and Paul Wyman. Also in attendance were County Attorney Larry Murrell and Auditor Ann Wells.

The meeting was called to order by Major Steve Rogers and conducted by Mr. Richard Miller.

IN THE MATTER OF THE APPROVAL OF MINUTES:

The minutes of the December 11, 2007 Regular Meeting, having been previously submitted and reviewed, were approved on a motion made by Mr. Papacek and seconded by Mr. Stout.

IN THE MATTER OF COUNCIL REORGANIZATION FOR 2008:

A motion was made by Mr. Wyman to nominate Mr. Richard Miller for Council President for the year 2008 and Mr. James Papacek as Vice President for the year 2008. The motion was seconded by Mr. Stout. The nominations were then closed on a motion made by Mr. Wyman and seconded by Mr. Stout. The motion to elect Mr. Miller as Council President and Mr. Papacek as Council Vice President for the year 2008 was carried.

IN THE MATTER OF OPENING COMMENTS:

Mr. Miller opened the floor for member comment as follows:

1. Mr. Wyman expressed appreciation to the Kokomo Downtown Association for their efforts and congratulated them on the success of the New Year's Eve Ball Drop and fireworks program.

IN THE MATTER OF ORDINANCE NO. 2008-HCCO-01 - ADDITIONAL APPROPRIATIONS:

Ordinance No. 2008-HCCO-01 - Additional Appropriations was read in full by Auditor Ann Wells and acted upon as follows:

<u>001</u>	<u>Howard County General Fund</u>	REQUESTED:	APPROVED:
<u>008</u>	<u>Howard County Superior Court II</u>		
03121.00	Maintenance & Service Contracts	\$ 356.00	\$ 356.00

Judge Stephen Jessup explained to the Council that in the year 2007, copies were made in excess of the contracted amount with the copier company. The requested amount is to cover that extra costs incurred for the copies printed.

A motion was made by Mr. Papacek to approve the request of \$356.00 in line item 03121.00, Maintenance & Service Contracts. The motion was seconded by Mr. Ellison and carried.

<u>150</u>	<u>Howard County Cumulative Capital Fund</u>		
04725.01	Building Repairs / Rebuild EMA	\$ 500,000.00	\$ 500,000.00

Commissioner Brad Bagwell addressed the rebuilding of the Emergency Management Agency structure that had been destroyed by fire last summer. Blueprints for the new structure include improvements to make it more functional (*please refer to page five, "In The Matter Of The Plans For The EMA Reconstruction", of the Regular Council Meeting minutes dated December 11, 2007*). He also reminded them that the building was an old, two-story building that was not ADA compliant. Any new structure will need to be compliant to new rules and regulations put into place since the original structure was built. He continued to explain the reason for the increased square footage and other improvements. The projected cost of the building will be about \$2 million dollars; \$1 million above the amount reimbursed by the insurance company. A final figure will not be available until all the bids have been received. Some of the costs may be offset by the availability of the Highway Department for hauling and excavating, and the Sheriff's Inmate Crew for painting. The Board of Commissioners has forwarded a request for \$500,000.00 from the Cumulative Capital Fund and \$500,000.00 from the CREDIT Fund. EMA Director Larry Smith stepped to the podium to explain the different usages of the downtown offices and the Berkley Road Offices. Discussion ensued concerning the additional square footage in the plans for the new

building. Mr. Bagwell explained that the project is going to be bid in separate phases so the true costs will not be known until all the bids are in. In response to a question posed by Commissioner Trine, Mr. Smith informed the Council that even though Howard County is the back-up location for the State Emergency Management, no grants or funds from the State are available at this time. Discussion continued on the use of CEDIT Funds

At the conclusion of discussion a motion was made by Mr. Papacek to approve the request of \$500,000.00 in line item 04725.01, Building Repairs / Rebuild EMA, and to approve \$0.00 in 04725.01 of the CEDIT Fund. The motion was seconded by Mr. Ellison. Mr. Papacek amended the motion to table the CEDIT request in lieu of approving \$0.00. That amendment was seconded by Mr. Stout and the motion (with its amendment) was approved.

<u>252</u>	<u>Howard County Jail & Juvenile COIT</u>		
035 038	<u>Kinsey Youth Center</u>		
03263.01	Mental Health / Diagnostics	\$ 20,000.00	\$ 20,000.00

Kinsey Youth Center Director Brent Kelley presented the request and referenced former discussion (*please refer to page four, "In The Matter Of An Increase In Per Diem For Kinsey Youth Center's Diagnostic Services", of the Regular Meeting minutes dated October 23, 2007, and page one, "In The Matter Of Ordinance No. 2007-HCCO-47 - Additional Appropriations" of the Regular Meeting minutes dated December 11, 2007*). There are already two juveniles in this new diagnostic program.

A motion was made by Mr. Wyman, seconded by Mr. Ortman and carried to approve the request of \$20,000.00 in line item 03263.01, Mental Health / Diagnostics.

<u>500</u>	<u>Howard County CEDIT Fund</u>		
03225.00	Agency Merger Study	\$ 5,000.00	\$ 5,000.00
04725.01	Building Repairs / Rebuild EMA	\$ 500,000.00	\$ Tabled

Commissioner Bagwell explained that this request pertains to the County's portion of the Umbrella Study pertaining to the restructuring of the five Economic Development Organizations. This had been discussed at the September Council meeting but a decision had not been made (*please refer to page eight and nine, item number five, of the Regular Meeting minutes dated September 5, 2007*).

In reference to the request of \$500,000.00 in line item 04725.01, Building Repairs / Rebuild EMA, Mr. Bagwell reminded the Council that this request is tabled (*please refer to page one and two of these minutes dated January 22, 2008*).

A motion was made by Mr. Stout, seconded by Mr. Papacek and carried to approve the request of \$5,000.00 to line item 03225.00, Agency Merger Study.

<u>515</u>	<u>Howard County Sheriff Misdemeanant Fund</u>		
04721.00	Equipment (<i>2 AEDs with Wall Cabinets</i>)	\$ 3,869.00	\$ 3,869.00

Major Steve Rogers informed the Council of Sheriff Talbert's recuperation from his recent surgery. He continued to explain the needed purchase of wall cabinets to house the Automated Emergency Defibrulators. These are similar to the units already in place.

The request for \$3,869.00 in line item 04721.00, Equipment, was approved on a motion made by Mr. Ortman and seconded by Mr. Wyman.

TOTAL ADDITIONALS ALL FUNDS		\$ 1,029,225.00	\$ 534,225.00
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IN THE MATTER OF RESOLUTION NO. 2008-HCCR-03 - TRANSFERS:

Auditor Ann Wells read Resolution No. 2008-HCCR-03 - Transfers one time, in full, and it was acted upon as follows:

Transfer From:	To:	AMOUNT REQUESTED:	ALLOWED:
<u>001</u>	<u>Howard County General Fund</u>		
<u>027</u>	<u>Howard County Civic Center</u>		
01111.00	Director	03120.00 Contract Services	\$ 19,100.00
			\$ 19,100.00

On behalf of Mr. Dwight Singer, City of Firsts Automotive Heritage Museum Center Board, Commissioner Bagwell spoke to the transfer request. The previous director resigned at the beginning of this year. In the interim the Heritage Museum Board voted to hire Mr. Jim Parsons, on contract, with an additional \$4.00 an hour to cover extra duties. This request is to transfer funds to cover the additional amount needed. Twenty-six resumes have been received and those will be reviewed by the Board's committee. Mr. Bagwell also informed the Council of the restructuring of the management office that will be put into place.

A motion was made by Mr. Papacek, seconded by Mr. Pencek and carried to approve the transfer as requested.

<u>030</u>	<u>Howard County Public Defender</u>				
01113.00	Deputies	01113.30	Deputy Public Defender	\$ 73,344.00	\$ 73,344.00
01119.00	Appeals	01113.30	Deputy Public Defender	\$ 22,260.00	\$ 22,260.00

At this time, Public Defender Steve Raquet submitted **ORDINANCE NO. 2008-HCCO-03** for Council approval. This ordinance gives the County Council authority to appropriate funds from the Supplemental Public Defender Services Fund to supplement the existing budget of the Howard County Public Defender for the year 2008 purposes and expenses. A motion was made by Mr. Papacek to approve Ordinance No. 2008-HCCO-03. The motion was seconded by Mr. Stout and carried.

Mr. Raquet clarified the transfer request to the Council members as a means to allow two part-time Deputy Public Defenders to be employed as full-time Deputies. In the past, appeals were counted as separate from the deputies' case loads and were paid through the accounts payable process. The State Public Defenders Board has now insisted that appeals are to be a part of the caseload. Mr. Raquet would like to transfer funds from appeals (no longer needed) and Deputies line items to increase two deputies from part-time to full-time, to cover the increased caseloads. Discussion ensued concerning present caseloads and other part-time deputies needed for full-time work.

A motion was made by Mr. Ortman, seconded by Mr. Stout and carried to approve the transfer as listed above.

Mr. Raquet informed the Councilman that the State Chief Public Defenders Association has appointed him to a Legislative Committee concerning the introduction of legislation that allows the State to assume the Chief Public Defender and Assistant Chief Public Defender salaries, and to increase the reimbursements to the County from 40% to 50%. Mr. Raquet does not have any information concerning the likelihood of this legislation being approved. Also being drafted for the 2009 session is legislation allowing the State to reimburse 100% of Public Defenders costs to the Counties.

IN THE MATTER OF SALARY ORDINANCE NO. 2008-HCCO-02 - AMENDING SALARY ORDINANCE FOR 2008:

Salary Ordinance No. 2008-HCCO-02 - Amending Salary Ordinance For 2008 was read in full by Auditor Wells and acted upon as follows:

		REQUESTED:	APPROVED:
<u>145</u>	<u>Howard County E911 Fund</u>		
01110.00	Communication Coordinator 3% \$34,655 (non exempt)	\$ 36,254.00	\$ 36,254.00
01111.00	Assistant Communications Coordinator	\$ 34,340.00	\$ 34,340.00
	Requesting Title Change Current Title "Dispatcher" (IDAC Coordinator) 3% \$33,041		
01112.00	Communications Supervisor (2) Currently have 1 supervisor with 3\$ \$32,510 Dispatcher from County General to become Supervisor currently with 3% \$31,979	\$ 32,620.00	\$ 32,620.00
01124.00	Part Time Current with 3% \$15,450	\$ 60,000.00	\$ 60,000.00

Commissioner Bagwell reminded the Council that the E-911 Fund is managed by the Board of Commissioners. In an attempt to bring the E-911 salaries closer in line with those of surrounding counties, the Commissioners chose to incorporate rank differentials between the Assistant Communications Coordinator and the Supervisors. This change is in line with the differences in responsibilities of those positions. Mr. Miller reminded the Council that this request is similar to the rank differentials that were changed at Budget Hearings for the Sheriff's Department several years ago.

At the conclusion of ensuing discussion, a motion was made by Mr. Papacek, seconded by Mr. Stout and carried to approve the Salary amendments and rank differentials as submitted.

<u>001</u>	<u>Howard County General Fund</u>				
<u>003</u>	Howard County Treasurer				
	Requesting that Maximum Hourly pay be changed from	\$	12.75	\$	12.75
	\$12.50 submitted at Budget Hearings				

Treasurer Martha Lake explained that at the 2008 Budget Hearings she had turned in salaries at the 2007 rate. She would like to raise the rate of her job share employee to \$12.75 (includes the 3% raise).

On a motion made by Mr. Wyman and seconded by Mr. Ortman the increase to \$12.75 was approved as submitted.

<u>924</u>	<u>Howard County Community Corrections</u>				
	Facilitator / Educator	\$	33,990.00	\$	33,990.00
	Requesting a new position to be paid from				
	Funds that do not require appropriation:				

Community Corrections Director Steve Maus informed the Council that the Community Corrections Advisory Board approved an additional position as a Facilitator/Educator. This position will be supported totally from the Project Income User Fee Fund. Mr. Maus wants the program to offer GED education.

A motion was made by Mr. Stout, seconded by Mr. Pencek and carried to approve the request as submitted.

IN THE MATTER OF COUNTY ASSESSOR ISSUES:

County Assessor Jamie Shepherd presented the following issues for County information:

1. **Sales Ratio Study:** Ms. Shepherd informed the Howard County Council that at 8:13 a.m. the Department of Local Government Finance had given its final approval for the Sales Ratio Study. This is the final step in being able to certify net assessed values with the Auditor's Office, moving us toward the final State budget hearings and receiving tax rates for the May 10th deadline.
2. **Howard County Assessment Board Of Appeals Appointments:** It is the Council's responsibility to appoint one Democrat and one Republican to the Property Tax Assessment Board of Appeals. Former Council appointees Marilyn Beroshok and Ralph Reddersdorf have agreed to serve another year if reappointed. Ms. Shepherd gave her recommendation for their reappointment. Mr. Ralph Reddersdorf and Ms. Marilyn Beroshok were appointed to the PTABOA Board on a motion made by Mr. Papacek and seconded by Mr. Pencek.

IN THE MATTER THE 2008 CAPITAL IMPROVEMENT PLAN:

Commissioner Bagwell informed the Council that the 2008 Capital Improvement Plan for Cumulative Capital and EDIT Funds will be presented for approval at the February Council Meeting. Mr. Bagwell took this opportunity, on behalf of the Board of Commissioners to congratulate and commend County Assessor Jamie Shepherd and Auditor Ann Wells for their work in completing the Sales Ratio Study and making Howard County the fourth out of ninety-two counties to be compliant with the State.

IN THE MATTER OF PROPOSED RE-USE OF CONTINENTAL STEEL SITE:

Commissioner Dave Trine presented a Comprehensive Community Enhancement and Economic Development Plan for the re-use of the eighty-four acre former Continental Steel site, introduced as Continental Landing on the Wildcat. Mr. Trine and his committee would like the County and City to move forward with a feasibility study from Butler Fairman and Seufert for a total amount of \$30,000.00 (\$15,000.00 each from City of Kokomo and Howard County). He will prepare the Additional Appropriation for February's meeting. Currently the City of Kokomo has a proposal for the site that includes an amphitheatre, six soccer fields and four softball diamonds. The committee believes that if \$80 million dollars is spent on clean-up of the location we should explore other proposals that might afford a more lucrative investment than a few softball and soccer fields. The infrastructure needed will be very similar for both plans. Discussion ensued concerning construction sites, YMCA location, construction loans, City involvement, and capitalizing on a waterway.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

Major Steve Rogers presented the following issues for Council information and approval:

1. **Increase In Dental Services:** American Dental Services has increased their fees for 2008 and have provided an adjusted rate charge list.
2. **December 2007 Commissary Report:** Copies of the December 2007 Commissary report were submitted and distributed to the Council members.
3. **Reserve Deputies:** Major Rogers submitted copies of Reserve Time for 2007, a listing of the Reserve Officers and how many hours were logged by them in the year 2007.
4. **Sheriff Inmate Work Program:** An Inmate Work Program listing was distributed reflecting the total number of hours worked at nine different not-for-profit organizations in the year 2007.
5. **Christmas Families In 2007:** At the December 11th meeting, the Council approved Ordinance No. 2007-HCCO-51, establishing the Howard County Sheriff Deputy Benevolent Fund that receives, maintains and distributes donated funds to needy families during the holidays (*please refer to page five, "In The Matter Of Ordinance No. 2007-HCCO-51" of the Regular Meeting minutes dated December 11, 2007*). Major Rogers distributed copies of the Christmas Families for 2007 report.
6. **Third Amendment To Howard County Police Retirement Plan:** Article VI of the Plan is amended effective January 1, 2008 for eligible retirees who retired before December 31, 1999. This amendment includes a cost of living adjustment previously discussed and approved at the November Council Meeting (*please refer to page one, item one, "In The Matter Of Sheriff's Department Pension Plan", of the Regular Meeting minutes dated November 27, 2007 meeting*). A motion was made by Mr. Ortman, seconded by Mr. Papacek and carried to authorize the Council President to sign the amendment on behalf of the Council, subject to the County Attorney's review.

IN THE MATTER OF RESOLUTION NO. 2008-HCCO-02:

Auditor Ann Wells submitted Resolution No. 2008-HCCR-02, a resolution of the Howard County Council amending exhibit A to Ordinance No. 2005-BCC-60, designating organizations for which dues and subscriptions may be paid from county funds. This is an updated listing of approved organizations. Resolution No. 2008-HCCR-02 was approved on a motion made by Mr. Papacek and seconded by Mr. Ortman.

IN THE MATTER OF 2007/2008 ENCUMBRANCES:

As a point of information, Auditor Wells submitted a listing of 2007 for 2008 Fund Encumbrances for all funds and all services, in the amount of \$1,736,722.98.

IN THE MATTER OF PERSONNEL DEPARTMENT ISSUES:

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

1. **PERF Paperwork For Former Employee:** Ms. McKillip submitted a PERF document amending documented service time previously omitted by PERF. No contribution corrections are needed; only the Councilmen's signatures are needed.
2. **2008 Councilman Appointments:** Ms. McKillip submitted copies of the 2008 Howard County Councilman Appointments as follows:

Richard Miller: President	Coordinating Council Personnel Administration Committee (P.A.C.)
James Papacek: Vice President	Coordinating Council Howard County Plan Commission

Kokomo/Howard County Development Corporation

Joseph Pencek: Recycle District Board
Health Insurance Committee

Leslie Ellison: Coordinating Council
Disaster Preparedness Committee
Community Corrections Board

Stanley Ortman: Howard County Extension Advisory Council
Health Insurance Committee
Personnel Administration Committee (P.A.C.)

Jeffrey Stout: Early Intervention Plan Team
Health Insurance Committee

Paul Wyman: Howard County 4-H Exhibit Council
Behavioral Health Advisory Council
Kokomo/Howard County Chamber Of Commerce (reporting only)

By Council consensus, the 2008 Council Appointments were approved as submitted.

There being no further business to come before the Council at this time, the meeting was adjourned at 9:32 p.m. on a motion made by Mr. Stout and seconded by Mr. Pencek.

HOWARD COUNTY COUNCIL:

RICHARD A. MILLER, PRESIDENT

JAMES T. PAPACEK, VICE PRESIDENT

PAUL G. WYMAN, COUNCILMAN

LESLIE ELLISON, COUNCILMAN

STANLEY ORTMAN, COUNCILMAN

JEFFREY STOUT, COUNCILMAN

JOE PENCEK, COUNCILMAN

ATTEST:

ANN WELLS, AUDITOR
Howard County Council Meeting January 22, 2008