

HOWARD COUNTY COUNCIL REGULAR MEETING FEBRUARY 26, 2008

The Howard County Council met Tuesday, February 26, 2008 at 7:00 p.m. in Room 338 of the Howard County Administration Center. Those present included President Richard Miller, Vice President James Papacek and Members Jeff Stout, Joseph Pencek, Leslie Ellison and Paul Wyman. Also in attendance were Attorney Larry Murrell and Auditor Ann Wells.

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

IN THE MATTER OF APPROVAL OF MINUTES:

The minutes of the January 22, 2008 meeting, having been previously submitted and reviewed, were approved on a motion made by Mr. Ellison and seconded by Mr. Wyman.

IN THE MATTER OF OPENING COMMENTS:

Mr. Miller informed the Council members that Auditor Wells, Treasurer Lake, Assessor Shepherd, Sheriff Talbert and Major Rogers testified before the Indiana House Ways and Means Committee in reference to the loss of \$870,000.00 as a result of some of the actions that have been discussed concerning property tax "caps".

IN THE MATTER OF ORDINANCE NO. 2008-HCCO-07-ADDITIONAL APPROPRIATIONS:

Ordinance No. 2008-HCCO-07 - Additional Appropriations was read in full by Auditor Ann Wells and acted upon as follows:

<u>050</u>	<u>Howard County Jury Pay Fund</u>	REQUESTED:	APPROVED:
03125.00	Jury Pay	\$ 12,000.00	\$ 12,000.00
03121.00	Maintenance & Service Contracts	\$ 3,000.00	\$ 3,000.00
04721.00	Equipment (Printer)	\$ 5,000.00	\$ 5,000.00

Ms. Wells explained that the Howard County Jury Pay Fund is financed by a \$2.00 fee from all criminal cases. This fund was not appropriated at the 2007-2008 budget hearings, so is brought before the Council at this time. Money in this fund will be used to pay for Jury costs. When that is exhausted, jurors will be paid from the Unified Courts line item County General.

The appropriations for Howard County Jury Pay Fund were approved as submitted on a motion made by Mr. Papacek and seconded by Mr. Stout.

TOTAL JURY PAY FUND	\$ 20,000.00	\$ 20,000.00
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<u>105</u>	<u>Howard County Adult Probation User Fees / Superior III</u>		
01523.00	Insurance	\$ 5,430.00	\$ 5,430.00

Judge Doug Tate informed the Council that this request is to budget the insurance costs of the part time employee that was approved for full time, and was not addressed at the 2008 budget hearings.

On a motion made by Mr. Wyman and seconded by Mr. Ellison, the request for \$5,430.00 in line item 01523.00, Insurance was approved.

<u>182</u>	<u>Howard County Sheriff LEEF Fund:</u>		
03213.00	Travel & Training	\$ 612.00	\$ 612.00

The request from Sheriff Talbert is to appropriate money collected by the Clerk's Office for traffic tickets.

\$612.00 was appropriated to line item 03213.00, Travel & Training on a motion made by Mr. Stout and seconded by Mr. Papacek.

252 Howard County Jail & Juvenile COIT**035, 037, 038 Kinsey Youth Center**

01113.02	Caseworker	\$	557.00	\$	557.00
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Ms. Wells explained that this request is to correct a transposition of figures in the original budget request.

A motion was made by Mr. Wyman to approve the request of \$557.00 to line item 01113.02, Caseworker. The motion was seconded by Mr. Papacek and carried.

500 Howard County CEDIT Fund

03700.00	Feasibility Study	\$	30,000.00	\$	15,000.00
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Commissioner Dave Trine submitted this request to underwrite a feasibility study on the former Continental Steel site (*please refer to page four, "In The Matter Of Proposed Re-Use Of Continental Steel Site" of the Regular Meeting minutes dated January 22, 2008*). There are several phases involved and Mr. Trine referred back to the Continental Landing Conception Book. An EPA study was done in 2003, financed by a grant, not paid for by the City of Kokomo. Mr. Trine is in possession of that study, which confirms that the first option for the reuse of the land is through commercial development. Mr. Trine has received much support for this project. Mr. Trine introduced Mr. John Speidel, from Butler Fairman and Seufert, and Mr. Tom Trine to answer questions from the Council. Attorney Murrell also clarified present ownership and future title to the property.

A time of question and answer ensued and at its conclusion, a motion was made by Mr. Papacek to approve \$15,000.00 for the feasibility study to line item 03700.00. The motion was seconded by Mr. Ellison and a vote was taken. The motion was carried with four aye votes from Mr. Papacek, Mr. Pencek, Mr. Ellison and Mr. Stout. One nay vote was cast by Councilman Wyman.

001 Howard County Storm water District - MS4

01113.00	Field Technician	\$	36,000.00	\$	36,000.00
01114.00	Clerical Assistant	\$	5,000.00	\$	5,000.00
01521.00	FICA	\$	6,006.00	\$	6,006.00
01522.00	PERF	\$	5,795.00	\$	5,795.00
01523.00	Insurance	\$	10,400.00	\$	10,400.00
02360.00	Office Supplies	\$	1,500.00	\$	1,500.00
02363.00	Printer Supplies	\$	1,000.00	\$	1,000.00
02365.00	Computer Supplies	\$	9,000.00	\$	9,000.00
02372.00	Education Materials	\$	1,000.00	\$	1,000.00
02373.00	Promotional Materials	\$	1,000.00	\$	1,000.00
03212.00	Postage	\$	1,000.00	\$	1,000.00
03120.00	Contract Services	\$	45,000.00	\$	45,000.00
03213.00	Travel & Training	\$	2,000.00	\$	2,000.00
03121.00	Maintenance & Service Contracts	\$	5,000.00	\$	5,000.00
03241.00	Printing	\$	500.00	\$	500.00
03260.00	Dues & Subscriptions	\$	150.00	\$	150.00
04721.00	Equipment	\$	5,000.00	\$	5,000.00

County Surveyor Jake Grimme and Chief Deputy Greg Lake were in attendance to answer any questions concerning the MS4 2008 Budget. This budget has been discussed at length at past meetings (*please refer to page four, "In The Matter Of The MS4 Budget Request For 2008" of the Regular Meeting minutes dated December 11, 2007*). As part of the discussion pertaining to this version of the budget, Mr. Wyman reminded the taxpayers that MS4 is an unfunded mandate from the Federal and State governments, and congratulated Surveyor Grimme, Mr. Lake and Mr. Murrell for all their work in whittling this budget from the original \$500,000.00 request to the present \$135,351.00. He proceeded to move that the appropriations be approved as submitted. The motion was seconded by Mr. Stout and Mr. Pencek and carried.

TOTAL CEDIT FUND		\$	165,351.00	\$	150,351.00
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514 Howard County Local Health Maintenance Fund

01111.00	Part Time RN Health Educator	\$	500.00	\$	500.00
01111.01	Part Time RN Immunization Nurse	\$	150.00	\$	150.00
01112.00	Part Time Clerical	\$	2,625.00	\$	2,625.00

Nursing Coordinator Jennifer Sexton, of the Health Department, informed the Council of the need to appropriate money to cover the increase from the 2007 budget amounts to the 2008 amounts.

The requests were approved as read on a motion made by Mr. Papacek and seconded by Mr. Pencek.

TOTAL LOCAL HEALTH MAINTENANCE FUND	\$ 3,275.00	\$ 3,275.00
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TOTAL ADDITIONALS ALL FUNDS	\$ 195,225.00	\$ 180,225.00
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IN THE MATTER OF SALARY ORDINANCE NO. 2008-HCCO-08 - AMENDING SALARY ORDINANCE FOR 2008:

<u>001</u>	<u>Howard County General Fund</u>	REQUESTED:	APPROVED:
<u>030</u>	<u>Howard County Public Defender</u>		
01113.30	Deputy Public Defender (3) <i>Additional Positions approved @ January Meeting</i>	\$ 51,500.00	\$ 51,500.00
<u>514</u>	<u>Howard County Local Health Maintenance</u>		
01111.00	Part Time RN Health Educator (\$17.00 Hourly)	\$ 17,000.00	\$ 17,000.00
01111.01	Part Time RN Immunization Nurse (\$16.50 Hourly)	\$ 4,950.00	\$ 4,950.00
01112.00	Part Time clerical (\$11.00 Hourly)	\$ 19,250.00	\$ 19,250.00

Salary Ordinance No. 2008-HCCO-08 - Amending Salary Ordinance For 2008 is approved on a motion made by Papacek and seconded by Mr. Stout.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

Sheriff Talbert submitted the following issues for Council information and approval:

1. **DOC Reimbursement Check:** Sheriff Talbert submitted to the Auditor the Department of Corrections reimbursement check for October, 2007, in the amount of \$18,865.00.
2. **Bomb Detecting K9:** The bomb-detecting K9 will be graduating from Von Liche Kennels on March 7, 2008. This K9 has been the K9 used for training exercises. The K9 is dually trained for other duties.
3. **Greentown Firearms Range:** The firearms range located in Greentown will be functional by mid-summer.
4. **Increase In State Fees:** The State Police have increased the fees collected from hand gun permits. There is currently about \$30,000.00 in the Firearms Training account and sometime this summer, Sheriff Talbert would like to require all members on the Department to carry the same issued weapon with inter-changeable magazines.

IN THE MATTER OF COMMENTS FROM COUNCILMAN ELLISON:

Councilman Leslie Ellison addressed the Council with several concerns and observations he has wrestled with during his eight years as a member of the County Council. He encouraged Department heads and Elected Officials to be more pro-active in hiring minorities in their offices. He has felt encouraged with the election of a Democratic Commissioner and hopes to see more diversity in elected positions. As a Councilman representing District #3, he would like to see more concern and recognition given to this district in Howard County. He thanked the council for their time.

IN THE MATTER OF TRANSFERS FOR THE HOWARD COUNTY CONVENTION AND VISITORS COMMISSION:

Executive Director Peggy Hobson submitted the following transfers from the 2007 Budget to the 2008 Budget:

<u>Transfer From:</u>	<u>Amount</u>	<u>To:</u>
3251 / Contract Services	\$ 265.00	3900-00 / Dues & Subscriptions
3251 / Contract Services	\$1,448.00	4800 / Vehicle Expenses
3222-00 / Travel & Conferences	\$2,953.00	3330-00 / Advertising
3214-00 / Telephone	\$2,953.00	3330/00 / Advertising

Discussion ensued concerning the proper procedure for transfers within the Convention & Visitors Commission as it pertains to the County Council. At the conclusion of that discussion a motion was made by Mr. Stout to approve the transfers as submitted. The motion was seconded by Mr. Papacek. A vote was taken and the motion was carried with four (4) aye votes from Mr. Stout, Mr. Papacek, Mr. Ellison, and Mr. Wyman. Councilman Pencek cast a nay vote.

IN THE MATTER OF CLOSING COMMENTS:

Auditor Ann Wells apprised the Council of the present financial situation the County is facing without an approved tax rate. A tax rate cannot be approved until the State can hold a Budget Hearing to approve the County's rate. That budget hearing cannot take place until the Governor allows the Department of Local Government Finance to approve rates, after the General Assembly has voted on the tax reforms. Because there is less than \$5 million dollars in County General funds and we may not be collecting money on our usual tax schedule, the Board of Commissioners, who approves all claims, has directed all Department Heads and Elected Officials to be under a spending freeze, only purchasing "Mission Critical" items.

County Attorney Murrell commended the Council for their action in approving the MS4 budget. He expressed appreciation for the work of Chief Deputy Surveyor Greg Lake for this knowledge and ability to work through this process to bring about a resolution. Mr. Murrell also commended Councilman Wyman for his role in bringing about debate on this issue that motivated the final resolution.

There being no further business to come before the Council at this time, the meeting was adjourned at 8:58 p.m. on a motion made by Mr. Papacek and seconded by Mr. Stout.

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 February 26, 2008