

HOWARD COUNTY COUNCIL REGULAR MEETING JANUARY 27, 2009

The Howard County Council met Tuesday, January 27, 2009 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 Stanley Ortman, Jeff Stout, Leslie Ellison, Joseph Pencek and Paul Wyman.

Pursuant to IC 36-2-2-8 Commissioners David Trine and William Thompson were also present (*please refer to page four, "In The Matter Of The Kitty Run Watershed Reconstruction Project" of the Regular meeting minutes dated January 20, 2009*).

The meeting was opened by Sheriff Talbert and conducted by President Miller.

IN THE MATTER OF APPROVAL OF THE MINUTES:

The minutes of the December 9, 2008 meeting, having been previously submitted and reviewed, were approved on a motion made by Mr. Papacek and seconded by Mr. Pencek.

IN THE MATTER OF COUNCIL REORGANIZATION:

President Miller called for the re-organization of the County Council for the year 2009 as follows:

A motion was made by Mr. Wyman to nominate Mr. Richard Miller for the office of President. The motion was seconded by Mr. Ellison and carried. A motion to close nominations was made by Mr. Papacek, seconded by Mr. Stout and carried. President Miller thanked the Council for the appointment of President.

Mr. Paul Wyman was nominated to the office of Vice President by Mr. Pencek. Mr. James Papacek was nominated to the office of Vice President by Mr. Ortman. A motion was made by Mr. Stout, seconded by Mr. Ellison and carried to close the nominations for Vice President. A vote was taken and recorded as follows:

Vote for Mr. Wyman – received four (4) votes / Mr. Pencek, Mr. Stout, Mr. Ellison and Mr. Wyman

Vote for Mr. Papacek – received three (3) votes / Mr. Papacek, Mr. Ortman and Mr. Miller

The President for the year 2009 is Mr. Richard Miller.

The Vice President for the year 2009 is Mr. Paul Wyman

Mr. Miller presented a suggestion by Mr. Stout to begin the meetings with prayer. It was the consensus of the Council to agree with that suggestion. Mr. Stout led the body in a word of prayer.

There being no opening comment from the Council Members, the meeting progressed with Additional Appropriation requests.

IN THE MATTER OF ORDINANCE NO. 2009-HCCO-05 – ADDITIONAL APPROPRIATIONS:

Ordinance No. 2009-HCCO-05 – Additional Appropriations was read in full one time by Auditor Ann Wells and acted upon as follows:

<u>001</u>	<u>Howard County General Fund</u>	REQUESTED:	APPROVED:
<u>007</u>	<u>Howard County Extension Office</u>		
03120.02	Contract Services – Salaries	\$ 3,030.00	\$ 3,030.00

Extension Officer Susan Neher reminded the Council Members that Purdue University partners with the County in paying salaries for the three educators in the Extension Office. Purdue pays all the benefits for the employees. This request represents the difference in the approved budgeted amount and the contractual agreement (*please refer to page six, "In The Matter Of A Contract Service Agreement With Purdue University", of the Regular Meeting Minutes dated December 9, 2008*).

A motion was made by Mr. Wyman, seconded by Mr. Papacek and carried to approve the request of \$3,030.00 to line item 03120.02, Contract Services – Salaries.

TOTAL GENERAL FUND	\$	3,030.00	\$	3,030.00
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004 **Howard County Family & Children Fund**

32500.00	Care of Wards in Foster Homes	\$	200,000.00	\$	Withdrawn
32520.00	Care Of Wards In Institutions	\$	150,000.00	\$	Withdrawn
32540.00	Preservation Services	\$	100,000.00	\$	Withdrawn
32550.00	Miscellaneous Cost	\$	38,000.00	\$	Withdrawn
32820.00	Care of Wards in Institutions	\$	150,000.00	\$	Withdrawn

Mr. Miller submitted a request from Marilyn Robinson, to withdraw the Additional Appropriations request. The requests were withdrawn on a motion made by Mr. Ortman and seconded by Mr. Stout.

TOTAL FAMILY & CHILDREN FUND	\$	638,000.00	\$	-0-
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015 **Howard County – MS4 Storm Water District**

01111.00	Operator	\$	10,000.00	\$	10,000.00
01112.00	Coordinator	\$	22,235.00	\$	22,235.00
01113.00	Field Tech	\$	36,000.00	\$	36,000.00
01117.00	Clerical	\$	18,200.00	\$	18,200.00
01521.00	FICA	\$	6,612.28	\$	6,612.28
01522.00	PERF	\$	6,652.91	\$	6,652.91
01523.00	Insurance	\$	20,800.00	\$	20,800.00
02360.00	Office Supplies	\$	3,500.00	\$	3,500.00
02363.00	Printer Supplies	\$	1,000.00	\$	1,000.00
02365.00	Computer Supplies	\$	4,000.00	\$	4,000.00
02372.00	Educational Materials	\$	5,000.00	\$	5,000.00
02373.00	Promotional Materials	\$	5,000.00	\$	5,000.00
02321.00	Gas, Oil & Lubricants	\$	2,000.00	\$	2,000.00
03120.00	Contract Services	\$	160,000.00	\$	160,000.00
03212.00	Postage	\$	2,000.00	\$	2,000.00
03213.00	Travel & Training	\$	2,000.00	\$	2,000.00
03241.00	Printing	\$	1,000.00	\$	1,000.00
03121.00	Maintenance & Service	\$	8,200.00	\$	8,200.00
03252.00	Garage & Motor Repair	\$	550.00	\$	550.00
03253.00	Equipment Repair	\$	200.00	\$	200.00
03320.00	Conveyance Improvements	\$	100,000.00	\$	100,000.00
04721.00	Equipment	\$	25,000.00	\$	25,000.00
04722.00	Computer Equipment	\$	4,000.00	\$	4,000.00
04723.00	Vehicles	\$	30,000.00	\$	30,000.00

Storm Water District Coordinator Greg Lake submitted these requests and reviewed them with the County Council, explaining that these figures are the minimum requirements of what is needed to accomplish the six minimum control measures as outlined by statute. These figures had been submitted and approved previously, but it was under the wrong fund number. In response to a question asked by Mr. Miller, Mr. Lake explained that we have been working on MS4 issues for the last five years and staying in compliance. Audits by the State are being conducted for all Storm Water Entities. At the present time the present Storm Water Operator waived the stipend. Mr. Wyman asked if this could be removed from the budget request. Mr. Lake responded that if the Storm Water District appoints a different person as the Operator they may want to accept the stipend and asked that it remain in the budget for that purpose.

At the conclusion of ensuing discussion concerning an upcoming meeting with the City Of Kokomo, a motion was made by Mr. Pencek, seconded by Mr. Ortman and carried to approve the request for appropriation as submitted. Mr. Wyman reiterated that this MS4 process is mandated by the Federal Government and Howard County, using their tax and fee money, must be in compliance.

TOTAL STORM WATER DISTRICT	\$	473,950.19	\$	473,950.19
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182 **Howard County LEEF Fund**

03213.00	Travel & Training	\$	1,106.00	\$	1,106.00
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Sheriff Marshall Talbert reminded the Council that this request is to appropriate receipted warrant fees (\$3 per ticket) into the training fund.

A motion was made by Mr. Stout to approve the appropriation of \$1,106.00 to line item 03213.00, Travel & Training. The motion was seconded by Mr. Ellison and carried.

<u>215</u>	<u>Howard County Health – Master Tobacco Grant Fund</u>		
02360.00	Office Supplies	\$ 1,500.00	\$ 1,500.00
02371.00	Other Supplies	\$ 4,500.00	\$ 4,500.00
03594.00	Project Access Contribution	\$ 32,000.00	\$ 32,000.00
04720.00	Equipment	\$ 12,867.87	\$ 12,867.87

Mr. Weaver reminded the Council that during the 2009 Budget Hearings last August and September, this fund was not appropriated because all the money to be received for 2008 had not yet been received. Mr. Weaver comes now to seek approval for the appropriation to this grant fund.

This appropriation request for the Master Tobacco Grant Fund was approved as submitted on a motion made by Mr. Ortman and seconded by Mr. Ellison.

Mr. Weaver requested that the advertised transfers contained in Resolution No. 2009-HCCR-01 – Transfers, for the Master Tobacco Fund be withdrawn.

TOTAL MASTER TOBACCO GRANT FUND	\$ 50,867.87	\$ 50,867.87
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<u>268</u>	<u>Howard County Kinsey Youth Center DMHA Grant</u>		
01111.00	Wrap Around Facilitator	\$ 30,500.00	\$ 30,500.00
01521.00	FICA	\$ 2,334.00	\$ 2,334.00
01522.00	PERF	\$ 2,059.00	\$ 2,059.00
02360.00	Office Supplies	\$ 200.00	\$ 200.00
03216.00	Communications	\$ 400.00	\$ 400.00
03212.00	Postage	\$ 100.00	\$ 100.00
03213.00	Travel & Training	\$ 500.00	\$ 500.00

Kinsey Youth Center Director Brent Kelley presented this fund appropriation for the Wrap-Around-Facilitator funded from the Department of Mental Health & Addictions Grant (*please refer to page two, "268 – Howard County Youth Center DMHA Grant," of the Regular Meeting dated October 28, 2008*). These requests are to add to the line items appropriated at the October, 2008 meeting. The Travel & Training line item is a new appropriation request. This grant money is a fee for service grant and Kinsey currently has four active cases, billable at \$115.00 per hour. According to this grant, they are allowed up to ten cases at a time. "As the program grows, the revenue stream increases."

A motion was made by Mr. Wyman to approve the appropriations for fund 268 as submitted. The motion was seconded by Mr. Ortman and carried.

TOTAL DMHA GRANT	\$ 36,093.00	\$ 36,093.00
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<u>515</u>	<u>Howard County Sheriff – Misdemeanant Fund</u>		
04721.00	Equipment / Cameras	\$ 5,700.00	\$ Withdrawn
04721.00	Equipment / Monitors	\$ 1,143.04	\$ Withdrawn

Sheriff Talbert requested that the requests be withdrawn. They had a surplus of a few funds that could be transferred at the end of the year to cover these purchases.

A motion was made by Mr. Stout, seconded by Mr. Wyman and carried to accept the withdrawal of the Misdemeanant Fund requests.

TOTAL MISDEMEANANT FUND	\$ 6,843.04	\$ Withdrawn
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IN THE MATTER OF RESOLUTION NO. 2009-HCCR-01 – TRANSFERS:

Auditor Ann Wells read Resolution No. 2009-HCCR-01 – Transfers in full one time and they were acted upon as follows:

	Transfer From:	To:	Amount Requested	Allowed
215	<u>Howard County Health – Master Tobacco Fund</u>			
03120.00	Contract Services	04720.00 Equipment	\$ 12,867.87	\$ Withdrawn
03120.00	Contract Services	02371.00 Equipment	\$ 1,500.00	\$ Withdrawn
03120.00	Contract Services	02360.00 Office Supplies	\$ 1,500.00	\$ Withdrawn

Earlier in the meeting the County Council approved the request to withdraw transfers in the Master Tobacco Grant submitted by Health Department Director Kent Weaver. The request to withdraw was accepted on a motion made by Mr. Ortman and seconded by Mr. Ellison.

232	<u>Howard County Recorder – Redaction Fund</u>			
03120.00	Contract Services	04721.00 Equipment	\$ 14,437.55	\$ 14,437.55

Ms. Koontz was informed by Information Systems Department Director Terry Tribby that their server's warranty has expired and the server needs to be replaced. Ms. Koontz would like to pay for the server from this redaction fund.

A motion was made by Mr. Stout, seconded by Mr. Pencek and carried to approve the transfer of \$14,437.55 from line item 03120.00, Contract Services to 04721.00, Equipment.

514	<u>Howard County Health – Local Health Maintenance Fund</u>			
03420.00	Liability Insurance	01112.01 Part Time Food Inspector	\$ 133.00	\$ Withdrawn

Mr. Weaver would like to withdraw this transfer request. The request was withdrawn on a motion made by Mr. Pencek and seconded by Mr. Ortman.

IN THE MATTER OF SALARY ORDINANCE NO. 2009-HCCO-06 – AMENDING SALARY ORDINANCE FOR 2009:

Salary Ordinance No. 2009-HCCO-06 – Amending Salary Ordinance for 2009 was read in full one time by Auditor Ann Wells and acted upon as follows:

	<u>Howard County General Fund</u>	REQUESTED:	APPROVED:
001	<u>Howard County Surveyor</u>		
006	Surveyor	\$ 65,515.00	\$ 65,515.00
023	<u>Howard County Commissioner Fund</u>		
01120.00	Personnel Administrative Assistant	\$ 28,884.00	\$ 28,884.00

The Surveyor's salary change reflects the mandated Certified Land Surveyor's salary of 1.5 times the budgeted salary amount.

The Personnel Administrative Assistant salary reflects the amount approved by the Council for Ordinance No. 2008 – HCCO-37 – Salary Ordinance for 2009 (*please refer to page three, "In The Matter Of Ordinance No. 2008-HCCO-37 – Salary Ordinance For 2009" of the Regular meeting minutes dated December 9, 2008*).

A motion was made by Mr. Wyman, seconded by Mr. Ortman and carried to approve the changes to the Salary Ordinance for the County General Fund as submitted.

015	<u>Howard County – MS4 Storm Water District</u>		
01111.00	Operator	\$ 10,000.00	\$ - 0 -
01112.00	Coordinator	\$ 22,235.00	\$ 22,235.00
01113.00	Field Tech	\$ 36,000.00	\$ 36,000.00
01117.00	Clerical	\$ 18,200.00	\$ 18,200.00
268	<u>Howard County Kinsey Youth Center DMHA Grant</u>		
01111.00	Wrap Around Facilitator	\$ 30,500.00	\$ 30,500.00

Contingent on former conversation during the Additional Appropriations request, and to insure this salary request appears before the Council when the Operator position changes, a motion was made by Mr. Wyman, seconded by Mr. Ortman and carried to deny the \$10,000.00 for the MS4 Operator (*please refer to page two, Additional Appropriation Request for Fund 015 – MS4 Storm Water District, of these meeting minutes*).

MS4 Coordinator Greg Lake stepped to the podium to give clarification to the salary amounts requested from fund 015, MS4 Storm Water District. Each of the amounts listed is what is requested to come from fund 015. Forty per cent (40%) of the Coordinator's salary comes from fund 015 and sixty per cent (60%) comes from County General. That position is responsible for paperwork associated with Storm Water District activity and putting mandated programs in place. This position will also supplement the Surveyor's office responsibilities. The Field Tech position is funded 100% from fund 015 and consists of doing the work for the minimum control measures, construction side, as part of Storm Water District activity. The Clerical position request is to supplement the position's funding with \$18,200.00 being paid from fund 015 and the remainder of the salary from County General, Surveyor's account. The salary does not change – only the pot from which it is paid from. Fifty per cent (50%) of the work done by the Clerical position is for Storm Water District issues. The remainder of the work load is as a supplement to the Surveyor's Office. That position was vacated and has not yet been filled. Presently one of the Surveyor's Clerical positions is doing some of the work. The Clerical position in the Storm Water district will be responsible for preparing presentations, writing articles for the press, and some out-of-office training sessions for community events (i.e. Earth Day). The Council expressed concern with keeping the Clerical Salary at the same rate as clerical positions in other departments, in the amount of \$28,884.00. The total salary for the Coordinator will be \$55,000.00.

At the conclusion of discussion, a motion was made by Mr. Ortman to approve the MS4 Storm Water District Coordinator at a salary of \$55,000.00 with 40% of the funds from the Storm Water District Fund and 60% of the funds from County General, and to approve the Clerical position's salary in the amount of \$28,884.00, with \$18,200.00 of the amount being paid from the Storm Water District Fund and the remainder from County General. The motion was seconded by Mr. Wyman and carried.

A motion was made by Mr. Stout to approve the Wrap Around Facilitator Salary at \$30,500.00. The motion was seconded by Mr. Pencek and carried.

IN THE MATTER OF THE COUNTY ATTORNEY EMPLOYMENT AGREEMENT:

President Miller submitted an Employment Agreement for the services of County Attorney Larry Murrell from January 1, 2009 through December 31, 2010. Mr. Murrell was appointed by the Board of Commissioner through action at their meeting dated January 5, 2009. The Agreement has been signed by the Board of Commissioners and the Drainage Board and now requires signatures by the County Council. A motion was made by Mr. Wyman, seconded by Mr. Ortman and carried to approve the Employment Agreement between Howard County and Larry Murrell for the term previously specified.

IN THE MATTER OF DETERMINATION NO. 2008-1:

Greg Lake submitted Determination No. 2008-1, a proposed determination of the Board of Directors of the Howard County Department of Storm Water Management establishing a fee schedule and other matters connected with the Storm Water District. Mr. Lake reviewed statistics with the Council concerning the last five years with MS4 and how it has been supported financially with County General and EDIT Funds and now MS4 fees (fund 015). The Storm Water Department Board of Directors held a Public Hearing and there was only one comment. This Determination was forwarded to the Council with a favorable recommendation from the Board of Directors and from the Board of Commissioners. After the Council makes a decision concerning the Determination, it will be addressed at the February 2nd Board of Commissioner meeting, then the February 2nd meeting of the Storm Water District Board of Directors. It will then be ready to include on the Spring tax statements. We will also be in compliance with federal standards. Discussion continued concerning explanation of the fee schedule, possible amendment of the Determination, district limits, and fee collection. Commissioner Trine addressed the Council to remind all in attendance that this has been mandated and no one likes having to collect an additional fee from our citizens. At the conclusion of discussion, a motion was made by Mr. Ortman to approve Determination No. 2008-1, including the fee schedule, as submitted. The motion was seconded by Mr. Pencek and carried.

IN THE MATTER OF THE 2009 PROPOSED 5% BUDGET DECREASE:

President Miller reminded the Council that at the December 9th meeting they voted to institute a hiring freeze through means of attrition and each lost position would require justification to the Council and their approval to re-hire; to increase the rates of all Part-Time employees who are eligible for Health benefits 15% (15% to 30% and 40% to 45%); that each Department Head and Elected Official review their budgets for a possible 5% decrease, by the January 2009 Council Meeting (January 27, 2009). The Council could not take any official action concerning the 2009 budget until they are in the 2009 Budget year. Now the Council can act in an official capacity, concerning the 2009 Budget. In Mr. Miller's judgment " ... there's no definitive proof or fact that we know of, at this point in time, that indeed a 5% reduction is absolutely in order to survive or not." Howard County has been assured by the State, through certification, that we will receive the funds needed to support the 2009 Budget. Since that certification, however, we have experienced many numbers of job reductions in Howard County, and that will result in a loss of income based tax revenues. Job loss continues to increase. State officials recognize that there will be an 8% loss to the State's income through income tax. Mr. Miller opened the floor for the Council's comment as follows:

Councilman Stout: Looks at tonight's meeting as a time to gather information; no set decisions will be made. Department Heads and employees have been working very hard throughout the years to stay within their budget or decrease their budget.

Councilman Papacek: He agrees with Mr. Stout. Mr. Papacek made a motion to authorize President Miller to appoint a committee of three Councilmen and at least one Commissioner to study this issue with Department Heads. Questions were posed by Mr. Ortman and Mr. Pencek concerning the working of this Committee, and answered by Mr. Miller and Attorney Murrell. As a point of order, Mr. Murrell reminded the Board that this meeting would be subject to the Open Door Policy as a Public Meeting. At the conclusion of discussion, the motion was seconded by Mr. Stout and carried.

There are several Department Heads who are included on the Agenda under New Business. In light of the motion just passed, they were given the option to speak now or wait until the committee meeting and present their questions to the Committee. It was the consensus of the Department Heads and Elected Officials in attendance to speak now.

Veterans' Service Officer Robert Ladd: Addressing the proposed 5% budget decrease, Mr. Ladd has reviewed a budget that has not been able to sustain all the needs of the Veterans Service Office for several years. The only line item he felt could sustain a decrease was the Veterans Burial Benefit line item. Any change in the Burial Benefits to Veterans would have to be accomplished through an amended Ordinance. Out of respect to our Veterans, the Board of Commissioners would not approve such an amendment. Mr. Ladd informed the Council that his office would not have been able to service the County without the help of the local Veterans Organizations. He thanked representatives of those organizations who were in attendance. Mr. Ladd also thanked Mr. Miller for meeting with him to discuss the proposed budget decrease. Mr. Ladd offered to give back subscription money, reduce their printing line and ask the Veterans Organizations to reuse their Memorial Day flags, reducing the amount of flags to be purchased by the Veterans Service Office.

Mr. Papacek thanked Mr. Ladd for presenting a plan for reduction. He supports the Board of Commissioners in not approving a decrease in Veterans Burial Benefits. The Council realizes that not all offices will be able to cut their budget by 5%.

Health Department Director Kent Weaver: Mr. Weaver is not here to discuss the Health Department's budget, at this time. He is here to inform the Council of the change in the Department's Fee schedule and the proposed Tattoo Ordinance. He continued to review the fee schedule with the Council, and explained several changes. The Board of Health has approved the Amended Fee Schedule and the Tattoo Ordinance, and the Board of Commissioners will address both Ordinances after they have talked to Tattoo establishment owners and artists.

Commissioner Thompson: Mr. Thompson asked the Council to be patient with the Board of Commissioners as they work through a "laundry list" of issues that require City and County participation; MS4 is definitely on that list. In working with office holders to decrease the budget, Mr. Thompson hopes that the last thing the Council will look at is a reduction in wages of the County's Employees. Mr. Thompson continued to inform the Council that at the January 20th meeting the Board of Commissioners appointed Mr. Scott Reed as the Building and Grounds Superintendent, effective February 1, 2009. He welcomed the Council's input on any changes that will be made to the Buildings & Grounds Department as they realign employees. The decisions to change or realign are not made on a personal basis,

but will be made to improve the overall function of the office and the capabilities of the employees. No additional wage appropriations will be necessary. One of the employees of the department retired in January and if Mr. Reed wants to replace that employee, the Board of Commissioners will direct Mr. Reed to justify the request to the Council. Mr. Thompson commended Mr. Art Fross and the fine job he did as Buildings & Grounds Superintendent during his tenure.

Auditor Ann Wells: In June of 2008, Ms. Wells was informed that one of her employees would be retiring in January of 2009. She requested that she be able to replace that position in order to continue to give the same level of service to the County, especially in light of new mandates and requirements put on the Auditor's office. Without this position it will be difficult to balance the assessed value books on time, manage increased filing of deductions, and making it possible for Howard County to be one of the top six counties in the state in having all their assessed values and figures to the state for certification. Ms. Wells has also taken back several duties that are statutorily the responsibility of the Auditor's office. If it is not possible to retain the position, she would have to at least create a job share situation, compromising the accuracy and timeliness of the work done by the Auditor's Office. Before leaving the podium, Ms. Wells thanked the Sheriff's Department, Kokomo Fire Department, the Emergency Management Agency and several other offices in the Administration Center for their help with over 3,000 elderly citizens during the filing of the new Circuit Breaker deductions. A thank you, also, to the Mayor's office for their cooperation with the parking situation around the Administration Center for the nine days that people had to file that deduction. At the conclusion of further discussion, a motion was made by Mr. Papacek and seconded by Mr. Stout to allow the Auditor to replace the position lost through retirement. The motion carried with only one NAY vote.

Buildings & Grounds Superintendent Appointee Elect Scott Reed: Present Superintendent Art Fross deferred to Mr. Reed. Mr. Reed thanked Art Fross for all he's done as Superintendent. Mr. Reed informed the Council that they will not be replacing the retired position. He would like to move some of that money into the Part-Time line item. That salary is \$30,980.00 plus benefits, and he would like to move half of that into the Part-Time line item. Any personnel moves will be within the department. Mr. Fross will be moving back to the Criminal Justice Center to be the maintenance supervisor there. A motion was made by Mr. Ortman, seconded by Mr. Stout and carried to accept the request to not replace the retired position in the Buildings & Grounds Department.

Public Defender Steve Raquet: Mr. Raquet submitted Ordinance No. 2009-HCCO-7, appropriating the Supplemental Public Defender Services Fund that supplements the existing budget of the Howard County Public Defender for the year 2009. Mr. Raquet informed the Council that he did add **Investigation** to the listing of designated items in the Ordinance, in order to relieve County General. Ordinance No. 2009-HCCO-7 was approved on a motion made by Mr. Papacek and seconded by Mr. Ortman.

Mr. Raquet has lost one Deputy Defender as of December 31, 2008. Because of State guidelines, Mr. Raquet needs to replace that position. Instead of replacing that part-time position in the amount of \$40,370.00, Mr. Raquet would like the Council to consider allowing him to transfer \$11,130.00 of that amount to a current part-time position making it a full-time position. That enables the Department to keep the same number of slots and case load, to meet the State guidelines. Presently the Public Defenders' office is a little out of compliance, but not to the point that it jeopardizes funding. Mr. Raquet is working on this issue, particularly with the CHINS cases. A motion was made by Mr. Ortman to accept the Public Defender's Office proposal to not replace the part-time position but to transfer \$11,130.00 to a part-time position making it a full-time position. The motion was seconded by Mr. Wyman and carried.

Kinsey Youth Center Director Brent Kelley: Kinsey Youth Center has a full-time Cook position that became available January 12th. Mr. Kelley proposes to replace the full-time position with two part-time positions, sixteen hours a week each. That results in a total savings in wages and benefits of \$17,325.00. A motion was made by Mr. Pencek to accept the recommendation. The motion was seconded by Mr. Stout and carried.

Personnel Director Wanda McKillip: Ms. McKillip requested to replace the Administrative Assistant Position vacated early in January. She has been working her part-time position full time hours and currently has a temporary intern from IUK and another part-time person. She does not believe she can operate the office effectively without that full-time position. A motion was made by Mr. Papacek, seconded by Mr. Ortman and carried to approve the replacement of the Administrative Assistant position in the Personnel Office.

MS4 Coordinator Greg Lake: Earlier in the evening the Council approved the MS4 Storm water District budget and employee salaries (*please refer to pages four and five of these minutes*). He now asks permission to proceed with hiring the needed employees per his budget. It was the consensus of the Council to proceed with hiring employees.

Councilman Wyman informed the Council that with tonight's changes in the non-replacement of positions, the County has already saved close to \$100,000.00.

IN THE MATTER OF THE KITTY RUN WATERSHED:

MS4 Coordinator Greg Lake spoke to the Council concerning the Kitty Run Watershed project, Phase one. About five years ago the Surveyor's office devised a plan for a reconstruction project for the Kitty Run Watershed. There is a moratorium on this watershed because of poor drainage problems leading to flooding in the area. The cost for the project was too much for the Surveyor's office and the Drainage Board to manage and so the project was shelved. A few weeks ago an opportunity arose from a large organization needing a large amount of fill dirt, making it possible to dig a retention pond on the Kitty Run Watershed site. Mr. Lake has requested \$150,000.00 from the EDIT Fund, from the Board of Commissioners, to help with the basin project. The requested \$150,000.00 would pay for digging of the basin, construction of three structures, and netting and re-seeding the area. When this request was presented to the Board of Commissioners at their January 20th meeting, by consensus they agreed to consider the project, but asked Mr. Lake to take this to the Council for their input because any approval would necessitate the amendment of the Capital Improvement Plan and an Additional Appropriation request. The Board of Commissioners agreed to call a Special Session at tonight's meeting to give input. Mr. Lake has applied for grant money. There is a second phase of the project but it cannot be considered until after phase one is completed. Several questions were asked by council members concerning having enough money to complete phase two after phase one has been completed, and would it be a waste of the \$150,000.00. Mr. Lake knows of at least three (3) projects (commercial and residential) that are waiting for the moratorium to be lifted. The basin will cover twenty-four acres with extra storage in it. It could be marketed as a community basin, and could accommodate a one-hundred year storm event. Attorney Murrell remarked that the Council does have to consider the possibility that we could spend the \$150,000.00 to construct the basin only to have the second phase of the reconstruction not go through.

Commissioner Trine commented, "...if we ever hope to have an investment between Boulevard and Dixon, all the way through Alto, there's gotta be some steps made."

Councilman Ortman: Believes that Dixon Road having four lanes is one of the best things to happen to Kokomo. The area is just waiting for something to happen.

At the conclusion of discussion a motion was made by Mr. Ortman and seconded by Mr. Ellison to send this issue back to the Board of Commissioners with the Council's authority to proceed with negotiations. As a point of order, Commissioner Thompson commented that the Board of Commissioners feels even if this area is annexed, it will still help the County, overall. The motion was then carried.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

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

1. **Concerned For Budget Decrease Request:** As Sheriff Talbert was reviewing with his staff on ways to decrease their budget, the ways that they could find to decrease expenses were areas that are funded by grants or the E911 Fund. That would not help County General. His office can save money in other areas, and "saving money is saving money". Sheriff Talbert would like to see some relief from Congress in being able to spend grants and funds for a wider range of expenses.

Mr. Miller voiced his agreement with the Sheriff's frustrations and sentiments, and commented that savings, no matter from which fund or grant, is still a savings of public funds.

Auditor Wells offered the illustration of taking her Electronic Data Fund (not County General) and offering to purchase computers for her office to save money in the Information Systems Department funds. Mr. Wyman believes it all counts and to keep track of those numbers.

2. **Sheriff's Commissary Report:** Sheriff Talbert submitted the Monthly Commissary Report for the month of December, 2008.
3. **Howard County Sheriff's Department Benevolent Fund:** Sheriff Talbert submitted this report for the Council's information. Corporal Stacey Wines oversees this fund and organizes the collection of families to

help, as well as shopped with and for fifty-three recipients. Sheriff Talbert commended Ms. Wines for the fine job she has been doing. "...but this is just another way that we make sure folks don't fall through the cracks".

Mr. Miller thanked Corporal Wines and the other Deputies who have been a part of this program.

IN THE MATTER OF COUNCIL APPOINTMENTS:

Personnel Director Wanda McKillip distributed a listing of Council Appointments for the Council's review.

There being no further business to come before the Council at this time, the meeting was adjourned at 10:10 p.m. on a motion made by Mr. Ortman and seconded by Mr. Wyman.

HOWARD COUNTY COUNCIL:

RICHARD A. MILLER, PRESIDENT

PAUL G. WYMAN, VICE PRESIDENT

JAMES T. PAPACEK, MEMBER

LESLIE ELLISON, COUNCILMAN

JEFFREY STOUT, COUNCILMAN

JOE PENCEK, COUNCILMAN

ATTEST:

ANN WELLS, AUDITOR
Howard County Council Meeting January 27, 2009