

HOWARD COUNTY COUNCIL REGULAR MEETING NOVEMBER 24, 2009

The Howard County Council met Tuesday, November 24, 2009 at 7:00 p.m. in Hearing Room 338 of the Howard County Administration Center. Those present included President Richard Miller, Vice President Paul Wyman and Members James Papacek, Stanley Ortman, and Jeff Stout. Also in attendance were County Attorney Larry Murrell and Auditor Ann Wells.

The meeting was called to order by Sheriff Talbert and conducted by President Richard Miller. All in attendance were led in prayer by President Miller.

IN THE MATTER OF APPROVAL OF MINUTES:

The minutes of the October 27, 2009 Regular meeting, having been previously submitted and reviewed, were approved on a motion made by Mr. Ortman and seconded by Mr. Papacek.

The minutes of the September 17, 2009 Special Session were submitted. A motion was made by Mr. Papacek, seconded by Mr. Ortman and carried to approve the September 17, 2009 Special Session as submitted.

IN THE MATTER OF COUNCIL COMMENT:

President Miller opened the floor for Council comment as follows:

Vice President Wyman invited the Council to attend Christmas at the Seiberling, this Saturday evening, with the lighting ceremony at 6:00 p.m. Mr. Wyman has had several meetings with 4-H workers, over the last several months, and it was the consensus that the 2009 County 4-H Fair went well. Some changes will be made for the next year and there are funds in the bank.

As a Point of Order, Mr. Miller submitted a request by Auditor Wells to distribute copies of the 2010 Proposed Budget to the Department Heads and Office Holders. Mr. Miller did give Ms. Wells authority to distribute copies of the 2010 Proposed Budget with the following disclaimer:

“Attached are your budgets that were approved by the Council in September. Richard Miller wanted to let you know that the Council may not hold to these figures...in November, December or even January or later in 2010. The economy will govern their decision of budget changes (our budget has not yet been approved by the State).”

IN THE MATTER OF KINSEY YOUTH CENTER ISSUES:

Kinsey Youth Center Director Brent Kelley submitted the PAC Committee requests for four new Family Functional Therapy therapist positions, with a salary of \$40,000. A Master's degree in social work, psychology, marriage and family therapy or related human service field is required. He also reminded the Council that, if this program cannot sustain itself, the program will be terminated. Mr. Papacek thanked Mr. Kelley for the information distributed to the Council members by him and Chief Probation Officer Don Travis.

Mr. Kelley informed the Council that many years ago the Sheriff's Department gave Kinsey Youth Center a van to transport Secure Detention youth. That van now needs repairs and those repairs will cost more than the van is worth. In speaking with Sheriff Talbert, several weeks ago, Mr. Kelley was told to look for a replacement van and the Sheriff's Department will purchase the van from the Misdemeanant Fund. Button Dodge located a used van from their lot in Logansport, and Mr. Kelley now seeks permission to spend \$12,125.00 from the Misdemeanant Fund to purchase the van. Sheriff Talbert clarified that the van being replaced is a 1997 Ram style van. The new van is similar to the pool vehicle currently being used by the Sheriff Department for travel of officials and employees, and other Department needs. The paperwork for the appropriation will be filed with the Auditor's Office for action at the December meeting. It was the consensus of the Council to continue to submit the request at the next Council meeting.

IN THE MATTER OF ORDINANCE NO. 2009-HCCO-35 – ADDITIONAL APPROPRIATIONS

Ordinance No. 2009-HCCO-35 – Additional Appropriations was read in full one time by Auditor Ann Wells and acted upon as follows:

001	<u>Howard County General Fund</u>	AMOUNT	APPROVED:
009	<u>Howard County Coroner</u>	REQUESTED:	
03263.02	Autopsy / Lab	\$ 5,000.00	\$ 5,000.00

County Coroner justified his request by the numbers of autopsies to perform this year. After he turned in paperwork for this request, he reviewed his current records as well as records received since turning in the paperwork. He discovered the need for more funds and will submit an Additional Appropriation request at December's meeting. Councilman Stout, a former County Coroner, informed the Council that at the end of his term, several years ago, his department did about one hundred twenty (120) autopsies. Currently, Mr. Price's autopsy (death investigation) count is two hundred sixty (260), already fifty-five more autopsies than last year. A motion was made by Mr. Papacek, seconded by Mr. Ortman and carried to approve the request of \$5,000.00 in line item 03263.02, Autopsy / Lab. Councilman Stout, also a Deputy Coroner, abstained from the vote.

277	<u>Howard County CJI FFT Grant</u>		
01111.00	FFT Therapist	\$ 7,600.00	\$ 7,600.00
01112.00	FFT Therapist	\$ 7,600.00	\$ 7,600.00
01113.00	FFT Therapist	\$ 7,600.00	\$ 7,600.00
01521.00	FICA	\$ 1,745.00	\$ 1,745.00
01522.00	PERF	\$ 2,223.00	\$ 2,223.00
01523.00	Insurance	\$ 3,232.00	\$ 3,232.00
TOTAL CJI FFT GRANT FUND		\$ 30,000.00	\$ 30,000.00

278	<u>Howard County CIP FFT Grant</u>		
01111.00	FFT Therapist	\$ 9,500.00	\$ 9,500.00
03213.00	Travel & Training	\$ 10,500.00	\$ 10,500.00

There being no further comment to add to the explanation given by Mr. Kelley at the beginning of the meeting, a motion was made by Mr. Ortman, seconded by Mr. Papacek and carried to approve the Additional Appropriation Requests in both grants as submitted.

TOTAL CIP FFT GRANT FUND	\$ 20,000.00	\$ 20,000.00
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TOTAL ADDITIONALS ALL FUND	\$ 55,000.00	\$ 55,000.00
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IN THE MATTER OF RESOLUTION NO. 2009-HCCR-25 – TRANSFERS

Auditor Ann Wells read Resolution No. 2009-HCCR-25 – Transfers in full one time, and it was acted upon as follows:

001	Transfer From:	To:	Amount	\$	Allowed
009	<u>Howard County General Fund</u>		Requested:		
	<u>Howard County Coroner</u>				
03243.00	Photography/Film Developing	04721.00 Equipment	\$ 300.00	\$	300.00
03213.00	Travel & Training	04721.00 Equipment	\$ 700.00	\$	700.00
03121.00	Beepers	02321.00 Gas, Oil & Lube	\$ 1,000.00	\$	1,000.00

Mr. Price informed the Council that the money transferred into the Equipment line item is to purchase three Respirators and cartridges. The current respirator and cartridges were obsolete and should not have been used. These respirators are needed for use during very difficult investigations.

A motion was made by Mr. Papacek to approve the transfers as submitted. The motion was seconded by Mr. Ortman and carried (Councilman Jeff Stout abstained from voting).

023	<u>Howard County Commissioners</u>		
03120.00	Contract Services	03000.00 Other Services	\$ 500.00
		And charges	\$ 500.00

Commissioner Dave Trine worked an accident earlier in the day that Coroner Price had to work, as well. Mr. Trine commended Mr. Price for his immediate response and the work he and his crew are called to perform. He continued to

inform the Council that the request to transfer \$500.00 into the Other Services and Charges line item is to pay for miscellaneous costs associated with meetings pertaining to Chrysler and Delphi bankruptcy and taxing matters. Mr. Miller informed the Council that there used to be a similar line item in the Commissioner's account but it was removed several years ago.

A motion was made by Mr. Stout to approve the transfer of \$500.00 from line item 03120, Contract Services, to line item 03000, Other Services and Charges. The motion was seconded by Mr. Papacek and carried.

<u>115</u>	<u>Howard County Sheriff Department – Inmate Work Program</u>				
02253.00	Supplies	04721.00	Equipment	\$ 1,000.00	\$ 1,000.00

Sheriff Talbert also commended Mr. Price for the job he is doing and the immediate response he gives, day or night. Mr. Price also works full-time hours. As to the \$1,000.00 transfer request, Sheriff Talbert would like to purchase an additional snow-blower for the crew to use for the County buildings.

The transfer was approved as submitted on a motion made by Mr. Papacek and seconded by Mr. Ortman.

<u>137</u>	<u>Howard County Health – AIDS Grant</u>				
02337.00	HIV Testing Supplies	04721.00	Equipment	\$ 860.78	\$ 860.78

Auditor Wells read the request submitted by Health Department Director Kent Weaver as follows: "We have been drawing blood (phlebotomy) from patients seated in a typical school classroom chair for many years. We had extra money in our supply budget to buy a phlebotomy chair, so we asked our Funding Agency to amend our budget and they approved the purchase of the chair."

A motion was made by Mr. Papacek to approve the transfer of \$860.78 from line item 02337.00, HIV Testing Supplies to line item 04721.00, Equipment. The motion was seconded by Mr. Stout and carried.

<u>252</u>	<u>Howard County Jail & Juvenile COIT Fund</u>				
<u>035,037,038</u>	<u>Kinsey Youth Center</u>				
01119.01	Shift Supervisor	01119.02	Part Time Shift	\$ 2,100.00	\$ - Withdrawn-

This request was withdrawn.

IN THE MATTER OF SALARY ORDINANCE NO. 2009-HCCO-36 – AMENDING SALARY ORDINANCE FOR 2009:

Salary Ordinance No. 2009-HCCO-36 – Amending Salary Ordinance for 2009 was read in full one time by Auditor Wells and acted upon as follows:

<u>277</u>	<u>Howard County CJI FFT Grant</u>				
01111.00	FFT Therapist			\$ 7,600.00	\$ 7,600.00
01112.00	FFT Therapist			\$ 7,600.00	\$ 7,600.00
01113.00	FFT Therapist			\$ 7,600.00	\$ 7,600.00

<u>278</u>	<u>Howard County CIP FFT Grant</u>				
01111.00	FFT Therapist			\$ 9,500.00	\$ 9,500.00

Salary Ordinance No. 2009-HCCO-36 – Amending Salary Ordinance for 2009 was approved as submitted on a motion made by Mr. Wyman and seconded by Mr. Ortman.

IN THE MATTER OF A QUESTION REGARDING THE NOVIA CLINIC:

Vice President Paul Wyman directed a question to Personnel Director Wanda McKillip, as to whether the NOVIA clinic will bring in their own physicians for our plan or will they hire local physicians to work inside the clinic. Ms. McKillip responded that local physicians would be contacted by NOVIA to ascertain interest and if they have required licensing and standards. The responses would be compiled by NOVIA, and Howard County and the City of Kokomo can have input into

the selection process. The final decision would belong to the employer. Mr. Morrison, from the City of Kokomo, also responded to this question.

IN THE MATTER OF ORDINANCE NO. 2009-HCCO-37:

Auditor Wells read Ordinance No. 2009-HCCO-37 in full one time. Ordinance No. 2009-HCCO-37 is an ordinance of the Howard County Council amending Ordinance No. 1981-21, adopting an Innkeepers tax for Howard County, and was amended as follows:

NOW, THEREFORE, BE IT ORDAINED, RATIFIED AND CONFIRMED by the Howard County Council as follows:

Section 1. Commencing July 1, 2007, a tax is hereby levied on every person engaged in the business of renting or furnishing, for periods of less than thirty (30) days, any room or rooms, lodgings or accommodations in any commercial hotel, motel, inn, tourist camp or tourist cabin, except state camping facilities, located in the County of Howard, Indiana. The tax shall be imposed at a rate of five percent (5%) commencing July 1, 2007 and before December 31, 2013, and a rate of four percent (4%) after December 31, 2013, only on the gross retail income derived from lodging income and shall be calculated in addition to the state gross retail tax imposed on those persons by Indiana Code 6-2.5.

Section 2. Any term or provision of any ordinance or resolution heretofore adopted by the County Council, including Ordinance No. 1981-21, which term or provision is inconsistent with any term or provision of this Ordinance, is hereby repealed to the extent, but only to the extent, of such inconsistency.

Section 3. This Ordinance shall be effective upon adoption and publication as required by law.

President Miller and County Attorney Murrell informed the Council that this Ordinance is a housekeeping matter, and clarified the action of the general assembly in the ability to collect the increased tax rate, in the year 2007. It will be published twice in the Kokomo Herald and the Kokomo Tribune. A motion was made by Mr. Papacek to approve Ordinance No. 2009-HCCO-37. The motion was seconded by Mr. Ortman and carried.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

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

1. **Commissary Report:** Sheriff Talbert submitted the October 2009 Commissary Report. Sheriff Talbert had extra Officers on duty for Halloween patrol with positive results. There were no reports of vandalism this year. The Kokomo Event Center expense was for a Sheriff's Department sponsored Halloween Party, as a safe trick-or-treating event for the children of Howard County. The Department received many positive comments from parents, thanking them for the free event. There was also help from Solidarity Federal Credit Union, Howard White of White's Meat Market (served about 1200 hot dogs), and other vendors who supplied candy and treats. This event grows every year.
2. **Change In Inmate Footwear:** Currently Howard County inmates are issued canvas soft soled footwear. These shoes must be maintained and you can't give a used pair of shoes to an incoming inmate without first being laundered. Washers and dryers are not made for washing footwear. Sheriff Talbert and his staff have decided to replace the current canvas footwear with plastic Croc -type footwear. They are lightweight and easy to clean; they can be worn in the shower room and sterilized when needed. Captain Vincent informed the Council that the longevity of the canvas shoe is about eight to twelve months. The longevity of the plastic croc is estimated to be twelve to eighteen months. Currently the Department washes two loads of canvas shoes daily, that take all day to air dry. Annual replacement costs for the canvas shoes are about \$1,200.00. The plastic crocs can be cleaned and sanitized in about ten minutes. Sheriff Talbert stated there is a possibility that crocs will be provided as a commissary item for inmates to purchase their own. The commissary croc will be a different color than those issued by the Department. The Additional Appropriation Form will be submitted to the Auditor's Office for action at the December 15th meeting.

IN THE MATTER OF FALL TAX COLLECTIONS:

Treasurer Martha Lake informed the Council as to the status of the fall tax collections. Seventy-nine percent of the taxes have been collected. Fifteen percent of what has not been collected is because of the Chrysler reorganization; six percent other taxpayers. This is consistent with what was collected in 2008 (94%) and very close to what was collected in 2007 (96%), showing that we haven't lost a lot of money from the taxpayers. Over one million dollars have been collected from Delphi on their 2005 pay 2006 taxes, and we are working on receiving all the personal taxes by the year 2011; the real estate taxes will be collected over a seven year period. We are still negotiating the Chrysler taxes. "This community is an amazing community."

IN THE MATTER OF PERSONNEL DEPARTMENT ISSUES:

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

1. **Anthem Open Enrollment For 2010:** Open Enrollment packets have been distributed. This is the fifth consecutive year that health insurance premiums have not increased. Ms. McKillip thanked the Insurance Committee, Board of Commissioners, County Council and County Attorney for their work in this process. December 2nd and 3rd the Personnel Office and Mr. Heath will visit the County buildings to be on hand for any insurance questions and concerns.
2. **Council Appointments:** Ms. McKillip distributed copies of 2010 Council Appointment listings. The term for Mr. Kent Evans, of the Howard County Alcoholic Beverage Commission, expires December 31, 2009. Mr. Jon Holmes' term on the City of Firsts Alcoholic Beverage Commission expires December 31, 2009. The Council appointment of two members to the Howard County Assessment Board of Appeals will be addressed by County Assessor Jamie Shepherd after January of 2010. The Council members can review the paperwork and take action in December or January.

There being no further business to come before the Council at this time, the meeting was adjourned at 8:00 p.m. on a motion made by Mr. Papacek and seconded by Mr. Ortman.

HOWARD COUNTY COUNCIL:

RICHARD A. MILLER, PRESIDENT

PAUL G. WYMAN, VICE PRESIDENT

JAMES T. PAPACEK, COUNCILMAN

LESLIE ELLISON, COUNCILMAN

STANLEY ORTMAN, COUNCILMAN

JEFFREY STOUT, COUNCILMAN

JOSPEH PENCEK, COUNCILMAN

ATTEST:

ANN WELLS, AUDITOR

Howard County Council Meeting November 24, 2009