

HOWARD COUNTY COUNCIL REGULAR MEETING APRIL 26, 2011

The Howard County Council met in regular session on Tuesday, April 26, 2011 at 7:00 p.m. in Hearing Room 338 of the Administration Center. Those in attendance included President Richard Miller, Vice President Stan Ortman and members Jeff Stout, Joseph Pencek, Leslie Ellison, and John Roberts. Also in attendance were Attorney Larry Murrell and Auditor Ann Wells.

The meeting was called to order by Sheriff Steve Rogers and conducted by President Miller.

IN THE MATTER OF APPROVAL OF MINUTES:

The minutes of the March 22, 2011 minutes, having been previously submitted and reviewed, were approved on a motion made by Mr. Ortman and seconded by Mr. Ellison.

The minutes of the March 28, 2011 Executive Session were submitted, and approved on a motion made by Mr. Ortman and seconded by Mr. Roberts.

The minutes of the Joint Executive Session, April 19, 2011, were submitted, and approved on a motion made by Mr. Ortman and seconded by Mr. Stout.

At this time Vice President Ortman led the Council members in a word of prayer.

IN THE MATTER OF COUNCIL COMMENT:

Mr. Miller opened the floor for comment from Council members as follows:

Mr. Miller asked that the Council members pray for Councilman Singer as he undergoes a medical procedure to repair eye damage. Mr. Ellison did talk with Mr. Singer this afternoon and Mr. Singer expressed wishes to be here this evening.

IN THE MATTER OF ORDINANCE NO. 2011-HCCO-10 – ADDITIONAL APPROPRIATIONS:

Auditor Ann Wells read Ordinance No. 2011-HCCO-10 – Additional Appropriations in full one time and it was acted upon as follows:

		AMOUNT	
		REQUESTED:	APPROVED:
<u>001</u>	<u>HOWARD COUNTY GENERAL FUND</u>		
<u>014</u>	<u>Howard County Superior Court I</u>		
04721.00	Equipment (<i>Copier/Scanner/Printer</i>)	\$ 11,377.00	\$ 11,377.00

Before submitting this copier request, Superior Court I Judge William Menges wanted to clarify this issue, as several misconceptions were printed in the press. “This is not some sort of a contest between the Council and the Commissioners, or between me and the Auditor or between me and the Commissioners.” The Court is a state institution, a different branch of our government; not a County office. The County, however, is responsible to supply necessary funds to operate the Court. The County executives are to be commended for their use and monitoring of the Cumulative Capital funds for equipment purchases. This is not a question of whether he needs the new machine; the question is what fund to take the purchase from. As a first option Judge Menges went to the Board of Commissioners to request the purchase from the Cumulative Capital Fund. That request was declined, as is their prerogative to do. He is now requesting an additional appropriation to the Equipment line item in the Superior Court I’s budget. The third option would be to ask the Auditor to pay the purchase from non-appropriated funds in County General. Judge Menges continued to review the history of their current machine which was brought to the Court from his private practice, in 2003. He also listed other necessary equipment he brought with him to supply the court, which the county did not have to provide. He continued to justify the request by listing the ways in which his court has operated in a more efficient manner, since 2005. Because the printer is more like a computer, Judge Menges believes it is proper to purchase the best equipment technology available at the present time.

At the conclusion of the request, and a time of question and answer, a motion was made by Mr. Roberts to approve the \$11,377.00 to line item 04721.00, Equipment. The motion was seconded by Mr. Stout and carried.

IN THE MATTER OF RESOLUTION NO. 2011-HCCR-10 – TRANSFERS

Auditor Wells read Resolution No. 2011-HCCR-10 – Transfers in full one time and it was acted upon as follows:

001	Transfer From:	To:	AMOUNT	ALLOWED
008	Howard County General Fund		REQUESTED	
	<u>Howard County Superior Court</u>			
01113.00	Court Reporter	01117.00 Secretary	\$ 12,000.00	\$ 12,000.00
01117.00	Part Time	01117.00 Secretary	\$ 2,000.00	\$ 2,000.00
04724.00	Law Books	01117.00 Secretary	\$ 3,000.00	\$ 3,000.00

Judge Brant Parry, Superior Court II referred to remarks he made at the March Council meeting (*please refer to page three, Howard Superior Court II Transfer, of the Council meeting minutes dated March 22, 2011*). At that time he had requested to rehire a position that was left vacant when the Court Reporter resigned last fall, and had transferred money into his part-time account for more part-time help. Judge Parry informed the Council that the position he would like to fill would be a full-time secretary position. The PAC recommended transferring the \$17,000 to a part-time account and not adding a new full-time Secretary position. The additional part-time funds will allow for hiring additional help to assist with the heavy workload that Superior Court II is facing. The Howard County Board of Commissioners agreed with the PAC recommendation. In light of the PAC recommendation, Judge Parry would request the transfers as submitted above, to pay a part-time position at \$14 dollars per hour, for the remainder of 2011, and budget for a full-time secretary for 2012, if needed.

A motion was made by Mr. Ortman to approve the transfer of funds as submitted. The motion was seconded by Mr. Pencek and carried. ******(This motion was later amended by Mr. Ortman to approve the \$17,000 transfer request and the PAC’s recommendation. The amended motion was seconded by Mr. Pencek and carried.)

IN THE MATTER OF SALARY ORDINANCE NO. 2011-HCCO-11 – AMENDING SALARY ORDINANCE FOR 2011:

Salary Ordinance No. 2011-HCCO-11 – Amending Salary Ordinance for 2011 was read in full one time by Auditor Ann Wells and acted upon as follows:

001	Howard County General Fund	REQUESTED:	APPROVED:
005	<u>Howard County Sheriff</u>		
01140.00	Court Security Officers (2) <i>Increase of \$523 ea. Previously Approved</i>	\$ 59,872.00	\$ 59,872.00
01113.02	Investigator Coordinator <i>Decreased \$1,030</i> <i>Title Changed from Drug Investigator</i>	\$ 42,888.00	\$ 42,888.00
01119.04	CI Pro Pay <i>Increased from \$3,825 for last 2 quarters of 2011</i>	\$ 4,855.00	\$ 4,855.00
008	<u>Howard County Superior Court II</u>		
01119.00	Secretary <i>New Position</i>	\$ 28,673.00	\$ -0-
	<i>Requesting transfer of \$17,000 for the remainder of the year.</i>		
01117.00	Part Time <i>If Full Time is not approved Max per Hr. \$14.00</i>	\$ 15,000.00	\$ 15,000.00
01117.00	Part Time <i>Previously transferred Max per Hr. \$14.00</i>	\$ 2,000.00	\$ 2,000.00

A motion was made by Mr. Ortman to approve the PAC recommendation to deny the request of Superior Court II for a full-time secretary position and approve the transfer requests as they were submitted. The motion was seconded by Mr. Pencek and carried. ******

A motion was made by Mr. Ortman to approve Ordinance No. 2011-HCCO-11 as submitted with the exception of the request for a new secretarial position in Superior Court II. The motion was seconded by Mr. Ellison and carried.

IN THE MATTER OF 2012 BUDGET PROCESS:

Chief Deputy Auditor Laurie Martin distributed "Budget Process for 2012" Packets to the Councilmen, as it pertains to Non-Binding Reviews for each township. Ms. Martin reviewed and explained the attached paperwork that "could" be required from the townships, and what that paperwork accomplishes. She asked that the Council review and decide what paperwork they would like to require of the Townships. Ms. Martin will then convey that information to the Township Trustees so it can be included in the packet for the 2012 Budget Process in August.

IN THE MATTER OF THE MEMORANDUM OF UNDERSTANDING BETWEEN HOWARD COUNTY AND THE CITY OF KOKOMO FOR THE NORTH STREET PROJECT:

Commissioner Paul Wyman submitted a Memorandum of Understanding between Howard County and the City of Kokomo for the North Street Project. The project is to extend North Street, enabling FEDEX to move forward with their expansion project. North Street is contained in the City of Kokomo and the County, and Mr. Wyman is requesting \$200,000 (half of the projected \$400,000 project) from EDIT funds. He believes this is the kind of project, installing the infrastructure that prepares the area for improvement, that the EDIT tax dollars were designed to support. It will show a continued effort to partner with the City on projects that will benefit the community. It will also open up 100 acres for future development and job creation. Mr. Wyman is asking for a consensus from the Council as to whether they support the MOU. The actual paperwork will be submitted at the May meeting. During ensuing discussion a motion was made by Mr. Ellison to table this decision until all Council members are present. The motion was seconded by Mr. Ortman. Two "aye" votes were cast by Mr. Ortman and Mr. Ellison; three "nay" votes were cast by Mr. Stout, Mr. Pencek and Mr. Roberts. The motion failed.

Discussion continued and at its conclusion a motion was made by Mr. Roberts to show support to the Board of Commissioners in partnering with the City of Kokomo for funding the North Street Project with EDIT funds. This would be a non-binding motion because the actual appropriation has not yet been advertised and submitted. The motion died for a lack of a second.

Councilman Stout asked that the Board of Commissioners bring a "package" of information that would include abatements, job opportunities, and income. There is concern that the City of Kokomo has already approved the project and the Board of Commissioners is coming in at the last minute to garner support for the use of EDIT money to fund the project, expecting the Council to make a quick decision on an issue that was decided without their input. As a response to this concern, however, Mr. Wyman reminded the Council Members that the Memorandum of Understanding was mailed to each of them in advance of the meeting, and e-mail correspondence regarding the project had been sent on more than one occasion. In response to an earlier comment, Plan Commission Director Greg Sheline did confirm that this project was approved by the City Plan Commission earlier this month. The construction company came, today, to obtain their location permit, and will begin the project as soon as weather permits. The additional appropriation request will be submitted at the June County Council meeting.

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. Stout and seconded by Mr. Ellison.

HOWARD COUNTY COUNCIL:

RICHARD A. MILLER, PRESIDENT

STAN ORTMAN, VICE PRESIDENT

LESLIE ELLISON, MEMBER

JEFF STOUT, MEMBER

JOSEPH PENCEK, MEMBER

DWIGHT SINGER, MEMBER

ATTEST:

JOHN ROBERTS, MEMBER

ANN WELLS, AUDITOR
Howard County Council Meeting April 26, 2011