

## **HOWARD COUNTY COUNCIL REGULAR MEETING OCTOBER 23, 2012**

The Howard County Council met in Regular Session on Tuesday, October 23, 2012, at 4:00 p.m. in Hearing Room 338 of the Administration Center. Those in attendance included President Richard Miller, Vice President Stan Ortman, and members Leslie Ellison, Jeff Stout, Joseph Pencek, Dwight Singer, and John Roberts. Also present were County Attorney Larry Murrell and Auditor Ann Wells.

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

### **IN THE MATTER OF APPROVAL OF MINUTES:**

The minutes of the August 14, 2012 and 2012 Budget Sessions on August 15 and 16, and September 5, 2012, having been previously submitted and reviewed, were approved on a motion made by Mr. Stout and seconded by Mr. Ortman.

At this time the Council was led in a word of prayer by Councilman Jeff Stout.

### **IN THE MATTER OF RESOLUTION NO. 2012-HCCR-33-TRANSFERS:**

Auditor Ann Wells read Resolution No. 2012-HCCR-33 – Transfers in full one time and it was acted upon as follows:

	<b>Transfer From:</b>	<b>To:</b>	<b>Amount</b>	<b>Allowed</b>
<b><u>001</u></b>	<b><u>Howard County General Fund</u></b>		<b><u>Requested:</u></b>	
<b><u>028</u></b>	<b><u>Weights &amp; Measures</u></b>			
03120.00	Contract Services	01111.00 Inspector	\$ 8,968.00	\$ 8,968.00
03120.00	Contract Services	01521.00 FICA	\$ 700.00	\$ 700.00
03120.00	Contract Services	01522.00 PERF	\$ 1,000.00	\$ 1,000.00
03120.00	Contract Services	02330.00 OSHA Unif Supplies	\$ 400.00	\$ 400.00
03120.00	Contract Services	02321.00 Gas, Oil & Lube	\$ 4,314.00	\$ 4,314.00
03120.00	Contract Services	03241.00 Printing	\$ 1,200.00	\$ 1,200.00

Auditor Ann Wells and Inspector Gary Gist explained to the Council that the Auditor's Office took the balance of the Contract Services line item in the Weights & Measures Department, used to underwrite the County's portion of the Interlocal Agreement for Weights and Measures, and transferred those amounts into line items. This is due to the Interlocal Agreement being cancelled and Howard County assuming 100% of the control and financing of the Weights and Measures Department. The Auditor's Office also met with Mr. Gist to decide how much was needed in the listed line items through the end of the year.

A motion was made by Mr. Singer to approve the transfer of \$8,968 to line item 01111.00, Inspector; \$700.00 to line item 01521.00 FICA; \$1,000.00 to line item 01522.00, PERF; \$400.00 to line item 02330.00, OSHA Uniform Supplies; \$4,314.00 to line item 02321.00, Gas, Oil and Lube; \$1,200.00 to line item 03241.00, Printing, from line item 0321.00, Contract Services. The motion was seconded by Mr. Roberts and carried.

### **IN THE MATTER OF ORDINANCE NO. 2012-HCCO-29 – SALARY ORDINANCE FOR 2013**

Auditor Ann Wells submitted and read Ordinance No. 2012-HCCO-29 – Salary Ordinance For 2013 one time, in order to enter it into record. A motion was made by Mr. Ortman to approve Ordinance No. 2012-HCCO-29 – Salary Ordinance For 2013. The motion was seconded by Mr. Singer and carried.

### **IN THE MATTER OF RESOLUTION NO. 2012-HCCR-31:**

Commissioner Paul Wyman submitted Resolution No. 2012-HCCR-31, a resolution of the Howard County Council declaring an interest in purchasing real estate located at 213 South Main Street, Kokomo, Indiana. For some time the Board of Commissioners has had discussions concerning spacing needs for various County offices. The request to purchase property could address spacing needs of the Prosecutors offices and the Adult Probation / Drug & Alcohol offices. The County also has parking issues, with seventy-eight (78) spaces short of enough parking for full-time employees in the downtown area, even though we own several parking lots. The building at 213 South Main Street has 18,000 square feet and one hundred twenty (120) parking spaces. The building is twelve (12) years old and covers 1.17 acres. The purchase price is \$850,000 dollars, but, under the applicable statute the County may not pay more than the average of two separate

appraisals. The seller has agreed to allow the County to pay over a three-year period, interest free. That will allow us to budget those amounts in accordance with our usual budgeting process, and determine, with the Council, if the Cumulative Capital Fund is the appropriate fund to handle this purchase. The seller has also agreed to pay all the taxes through that time period if the Council adopts this Resolution. Attorney Murrell and the Seller's attorney will draft the appropriate Land Contract. The plan is to make the Prosecutor's office the first tenant of the building.

Mr. Wyman is asking the Council to approve Resolution No. 2012-HCCR-31, at this time. If approved, the Commissioners will continue the process of employing the appraisers, and return to the Council when a firm purchasing price has been agreed upon. The council will then consider the appropriate fund from which to make the initial payment of \$300,000. This purchasing process is pursuant to Indiana Code 36.1-10.5-1 to be approved and appropriated by the County Council, then must also be approved by the Department of Local Government Finance.

Mr. Wyman fielded questions from the Councilman and assured them that the Commissioners believed the Cumulative Capital Fund could sustain the purchase, and there would be no increase in taxes to fund the purchase. A motion was made by Mr. Ortman to approve Resolution No. 2012-HCCR-31, declaring an interest in purchasing real estate at 213 South Main Street and approving the Board of Commissioners to pursue the purchase including the appointment of two appraisers. The motion was seconded by Mr. Stout and carried.

#### **IN THE MATTER OF A POSITION REHIRE REQUEST FROM SUPERIOR COURT I:**

Superior Court I Judge William Menges submitted a request to rehire the Assistant Court Reporter position, recently vacated by a move to the Probation Department. This puts the office 25% short in staffing with a 6% increase of case filings over this time in 2011. At the conclusion of ensuing discussion, a motion was made by Mr. Roberts, seconded by Mr. Ortman and carried to approve the rehire request of an Assistant Court Reporter position in Superior Court I.

#### **IN THE MATTER OF A REQUEST TO REVIEW THE COUNTY AGENT BUDGET:**

County Extension Officer Paul Marcellino submitted a request to the County Council from Purdue University, to review the County Agent 2013 Budget and increase the Contract Services – Salaries line item to \$105,890.00 (\$2,100 increase); the increase is less than 2% over five years. Mr. Marcellino reminded the Council that the County Agent's office does everything they can to keep costs to a minimum for the County. Mr. Marcellino continued to review with the Council the services given to the community by the County Extension Office (County Agent) giving special attention to their Nutrition Counseling Program, 4-H clubs, Diabetes education, Master and Community Gardener volunteer hours and fresh vegetables to local pantries, assistance in obtaining a research grant for Soil & Water, and the lead role Mr. Marcellino plays in the event of a disaster, of overseeing care of livestock, natural resources and pets. Councilman Miller reminded Mr. Marcellino that as the 2013 budget has already been approved, changes to the budget can be considered by an Additional Appropriation Request after the beginning of the 2013.

#### **IN THE MATTER OF A POSITION REHIRE REQUEST FOR THE PUBLIC DEFENDER'S OFFICE:**

Public Defender Steve Raquet submitted a request to rehire a Deputy Public Defender position in the event of a resignation to be effective November 4th. He does need this position to be filled in order to meet State guidelines for funding. At the conclusion of ensuing discussion, a motion was made by Mr. Stout to approve the request to rehire the Deputy Public Defender position. The motion was seconded by Mr. Singer and carried.

*There being no further business to come before the Council at this time, the  
meeting was adjourned at 4:47 p.m. on a motion made by  
Mr. Stout and seconded by Mr. Ortman.*

**HOWARD COUNTY COUNCIL:**

---

RICHARD H. MILLER, PRESIDENT

---

STAN ORTMAN, VICE PRESIDENT

---

JEFF STOUT, MEMBER

---

LESLIE ELLISON, MEMBER

---

JOSEPH PENCEK, MEMBER

---

JOHN ROBERTS, MEMBER

---

DWIGHT SINGER, MEMBER

ATTEST:

---

ANN WELLS, AUDITOR

Howard County Council Meeting October 23, 2012