

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING MARCH 3, 2014

The Howard County Board of Commissioners met in Regular Session on Monday, March 3, 2014, at 4:00 p.m. in Hearing Room 338 of the Administration Center. Those in attendance included President Paul Wyman, Vice President Tyler Moore and Member Brad Bray. Also in attendance were Assistant County Attorney Alan Wilson and Auditor Martha Lake.

The meeting was called to order by Sheriff Steve Rogers and conducted by President Paul Wyman. Commissioner Bray led in the Pledge of Allegiance, and Vice President Moore offered a word of prayer.

IN THE MATTER OF APPROVAL OF MINUTES:

The minutes of the February 17, 2014, Regular Meeting, having been previously submitted and reviewed, were approved as submitted on a motion made by Mr. Bray and seconded by Mr. Moore.

The minutes of the February 14, 2014, Executive Session were submitted. Those in attendance at the meeting were Commissioner Tyler Moore and Commissioner Brad Bray. The purpose of the meeting was to receive information about and interview prospective employees. The Executive Session minutes were approved on a motion made by Mr. Moore and seconded by Mr. Bray.

IN THE MATTER OF DEPARTMENTAL REPORTS:

COUNTY HOME (HOWARD HAVEN):

County Home Superintendent Jennifer Vary distributed paperwork reflecting quotes for a vehicle for Howard Haven. Ms. Vary is using three county vehicles for trade in values toward the new vehicle: the 2003 Ford Bus (Howard Haven), the 2000 Grand Voyager (Howard Haven), and the 1996 Ford Van (Kinsey Youth Ctr).

Erik's Chevrolet	\$9,775.00 (after Trade-in)	2013 Grand Caravan
Button Motors	\$10,193.99 (after Trade-in)	2010 County Town
What A Deal Motors	\$8,100.00 (after Trade-in)	2013 Dodge Caravan

Ms. Vary recommends the purchase of the 2013 Dodge Caravan from What A Deal Motors, in the amount of \$8,100.00. The vehicle will be purchased from the Howard Haven Donation fund, which currently has a balance of \$18,562.28. A motion was made by Mr. Moore to approve the purchase of the 2013 Dodge Caravan from What A Deal Motors, in the amount of \$8,100.00 to be paid from the Howard Haven Donation Fund. The motion was seconded by Mr. Bray and carried.

PROSECUTOR OFFICE:

Prosecutor Mark McCann submitted a request to purchase furniture and equipment for the new Conference Room on the lower level of the Courthouse, from Shearer Printing, in the amount of \$5,790.00. The Prosecutor's Office has paid for the remodel of the room and its furniture from their Title IV D Incentive Fund and the Pre-Trial Diversion Fund. The Maintenance Department has done the work. A motion was made Mr. Bray to approve the purchase of the Furniture Package for the Courthouse Conference Room, in the amount of \$5,790.00, to be paid from prosecutor funds. The motion was seconded by Mr. Moore and carried.

COUNTY ASSESSOR:

1) County Assessor Jamie Shepherd reported that after a week of testimony and over 1,000 pages of dictation from the Kohl's Appeal the hearing has been accomplished. She and several other County Assessors feels that it is necessary to obtain a fresh perspective on the hearing. Attorney and Member, Appraisal Institute Nick Tillema, is willing to review the testimony and submit a friend of the Court post hearing brief. Attorney Murrell has reviewed a Letter of Engagement for Services with Mr. Tillema and made a few changes that were accepted by Mr. Tillema. Time is very important in that all post-hearing briefs have to be submitted to the court no later than March 26, 2014. The cost for these services would not exceed \$5,000.00 unless the appeal would go to the Supreme Court or the Appeal Hearing Board. A motion was made by Mr. Moore to approve the Letter of Engagement with Mr. Nick Tillema for Amicus Brief services of the Kohl's Appeal, not to exceed \$5,000.00 unless the appeal would go to the Supreme Court or the Appeal Hearing Board, and authorize Mr. Wyman and Ms. Shepherd to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Bray and carried.

2) Several meetings ago the Commissioners approved a request to bid for Assessment Services, to be submitted no later than 10:00 a.m. today. One bid has been submitted and was opened by Ms. Shepherd as follows: Ad Valorem Solutions of Howard County. The bid services will span five (5) years and will include the Rolling Annual Reassessment, and maintenance in the amount of \$1,326,000.00. A motion was made by Mr. Moore to receive the bid from Ad Valorem and take it under advisement for further review by the Assessor. The motion was seconded by Mr. Bray and carried.

3) For the past several years the Assessor’s office has been able to share the Surveyor’s vehicle for their assessment work. They have also been able to use one of the Sheriff’s transport vehicles for assessor training and certification sessions. There are a growing number of out-of-office duties the Assessor’s office has to perform, and the Surveyor’s Office also has increasing duties that require increased usage of the vehicle. She did confirm that the Surveyor’s Office has gone above and beyond in trying to schedule their use of the vehicle around the Assessor Office needs. Ms. Shepherd believes it is necessary for the Assessor’s Office to have its own vehicle, and is asking to purchase a vehicle using the Commissioner’s line item in the Cumulative Capital Fund (1138-000-03723.23), making is available to other offices when not needed by the Assessors’ Office. Ms. Shepherd has asked for and obtained quotes for a vehicle with all-wheel drive capability (and several other specifications) as follows:

Erik’s Chevrolet	2014 Chevrolet Traverse	\$29,400.00
Button Dodge	2012 Dodge Journey	\$20,242.24
	2014 Dodge Journey	\$28,890.25
McGonigal Buick GMC Cadillac	2014 GMC Acadia	\$34,184.76
	2010 GMC Acadia	\$26,970.67

Ms. Shepherd recommends the quote for a 2012 Dodge Journey, in the amount of \$20, 242.24, from Button Dodge. A motion was made by Mr. Moore to approve the purchase of the 2012 Dodge Journey, in the amount of \$20,242.24 from Button Dodge Motors, from the Cumulative Capital Fund. The motion was seconded by Mr. Bray and carried.

IN THE MATTER OF CLAIMS AND REPORTS:

Auditor Martha Lake submitted the following claims and reports for the Commissioners’ information and approval:

1. **Salary Claims:** Salary, Hourly, and Overtime claims payable March 7 & 14, 2014, in the amount of \$354,597.12 each, were approved for payment on a motion made by Mr. Bray and seconded by Mr. Moore.
2. **Operating Claims:** Commissioners’ Operating Claims payable today, in the amount of \$571,142.66, were submitted, and approved on a motion made by Mr. Bray and seconded by Mr. Moore.
3. **Confirm Signature:** Ms. Lake submitted an early pay claim that had been signed by Mr. Wyman and that signature needs to be confirmed by the Board. A motion was made by Mr. Bray, seconded by Mr. Moore and carried to confirm the signature of President Wyman on the early pay claim.
4. **Monthly Reports:** Ms. Lake submitted the Clerk’s Monthly report for the month ending January 31, 2014 and the Weights and Measures monthly report for the month of January 16 – February 15, 2014. Both reports were accepted as submitted on a motion made by Mr. Bray and seconded by Mr. Moore.
5. **VSO Monthly Report:** The Veterans Service Office report for the month of January, 2014, was submitted and accepted on a motion made by Mr. Moore and seconded by Mr. Bray.

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

Attorney Larry Murrell submitted the following issues for the Commissioners’ information and approval:

1. **Property Agreement with GM:** Mr. Murrell submitted a Right-To-Enter Property Agreement between GM Components Holding and Howard County Sheriff Department for use of one of their buildings and parking lot for training. Mr. Murrell has reviewed the agreement and it is ready for approval. A motion

was made by Mr. Moore to approve the Right-To-Enter Property Agreement with GM Components Holding. The motion was seconded by Mr. Bray and carried.

2. **Inmate Health Care Provider:** We are using a new inmate health care provider, Advanced Correctional Healthcare Inc. (ACH). Mr. Murrell submitted the Agreement for the Provision of Inmate/Detainee Health Services, Howard County, Indiana, and the Business Associate Agreement for the Board's approval. The effective date is March 1, 2014 and is an annual contract. A motion was made by Mr. Moore to approve the Agreement for the Provision of Inmate/Detainee Health Services between Howard County and Advanced Correctional Healthcare, Inc., for a period of one (1) year. The motion was seconded by Mr. Bray and carried.
3. **DLZ Feasibility Study:** At the February 17th meeting the Commissioners approved a Feasibility Study Agreement with DLZ Indiana for the proposed Work Release Center at the Old Jail site on Berkley, subject to the review and approval by Sheriff Rogers and Attorney Murrell (*please refer to page two and three, item two, "In The Matter of Commissioner Issues", of the regular meeting minutes dated February 17, 2014*). Mr. Murrell has reviewed the agreement proposal and DLZ has made the requested changes. The agreement was signed by the Commissioners.
4. **Choices Inc.:** This agreement between Choices Inc. and Howard County Kinsey Youth Center is to authorize the placement of certain youth in other facilities when there is room. A motion was made by Mr. Moore, seconded by Mr. Bray and carried to approve the agreement with Choices, Inc. on behalf of Kinsey Youth Center, and authorize the President to sign on behalf of the Board of Commissioners.
5. **Barnes & Thornburg Invoices:** Mr. Murrell submitted two invoices from Barnes & Thornburg: the first, in the amount of \$3,091.00 is for legal matters for the period ending January 31, 2014 and the second, in the amount of \$3,840.30 is for legal matters for the period ending December 31, 2013. They reflect EEOC matters and General Advice. Both invoices were approved for payment on a motion made by Mr. Moore and seconded by Mr. Bray.

IN THE MATTER OF COMMISSIONER ISSUES:

COMMISSIONER MOORE:

- 1) The Board of Commissioners is now ready to appoint a Buildings & Grounds Superintendent for 2014. Applications and resumes have been received and reviewed. Interviews have been conducted by Mr. Moore and shared with Mr. Wyman and Mr. Bray. A motion was made by Mr. Moore to appoint Mr. Bill Stonestreet as the Buildings & Grounds Superintendent, effectively immediately. The motion was seconded by Mr. Bray and carried. The Board thanked Mr. Stonestreet for his work as the Interim Superintendent. Mr. Stonestreet thanked the Board for the appointment and commented that he would do a good job for them. A round of applause was given to Mr. Stonestreet.
- 2) Mr. Jon Zeck, the Commissioners' appointee to the Howard County Emergency Plan Committee, submitted a resignation letter, stating that he is resigning for personal reasons. This appointment will need to be filled. A motion was made by Mr. Moore, seconded by Mr. Bray and carried to receive the resignation letter from Mr. Zeck. The Commissioners will consider names for nominees to bring to the March 17th meeting.
- 3) Mr. Moore was the Hearing Officer for the Township Appeal Hearing for Ms. Sondra L. Johnson, Center Township. After hearing testimony from Ms. Johnson and from the Center Twp. Trustee's Office, it is Mr. Moore's recommendation to uphold the denial of the Township Trustee. A motion was made by Mr. Moore, seconded by Mr. Bray and carried to uphold the denial of the Township Trustee in the hearing of Ms. Sondra L. Johnson, Center Township.
- 4) Mr. Moore submitted an IDEM Notice revoking the Air Quality Permit from Sapa Extruder, Inc. / 067-34131-00069. The Notice was received on a motion made by Mr. Moore and seconded by Mr. Bray.

COMMISSIONER WYMAN:

- 1) The Downtown Grant Committee has reviewed the application for a grant from CRM Properties, Inc. They would like to locate their business at 415 West Sycamore, downtown Kokomo and is a property management

company. The application was approved by the Committee and now comes to the Board of Commissioners for consideration. Mr. Wyman vacated the chair in order to make a motion to approve the Small Business Grant for CRM Properties, Inc. through a Memorandum of Understanding with the Greater Kokomo Economic Development Alliance, in the amount of \$5,000.00. The motion was seconded by Mr. Bray and carried.

IN THE MATTER OF PUBLIC COMMENT:

President Wyman opened the floor for public comment as follows:

Mr. Jerry Paul, President of the Howard County Veterans Memorial Corp. at Darrough Chapel Park: Mr. Paul asked for Commissioner support in naming a portion of the New US 31 as the Blue Star / Gold Star Mother Memorial Highway.

Mr. Wyman believes that this will be an issue up for discussion by the Convention & Visitors Tourism Board in the near future. He would like to wait for their input before reaching a decision. He also believes there have been other organizations with their recommendations. Mr. Wyman will call the CVB to see when the topic will be addressed.

Mr. Don Burris, 227 Ariel Court, Kokomo, Indiana: The Kokomo Common Council recently announced their intent to license dancers in order to protect against sex trafficking and other criminal activities. This will give Police Officers more leverage when they patrol the bars. Mr. Burris would like to see the Board of Commissioners give their support of this action.

Commissioner Wyman asked that Mr. Burris submit a copy of the official action to the Board of Commissioners for their information.

*There being no further business to come before the Board of Commissioners at this time,
the meeting was adjourned at 4:48 p.m. on a motion made by
Mr. Moore and seconded by Mr. Bray.*

HOWARD COUNTY BOARD OF COMMISSIONERS:

PAUL G. WYMAN, PRESIDENT

TYLER O. MOORE, VICE PRESIDENT

ROBERT B. BRAY, MEMBER

ATTEST:

MARTHA J. LAKE, AUDITOR
Howard County Board of Commissioner Meeting March 3, 2014