

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING APRIL 7, 2014

The Howard County Board of Commissioners met in Regular Session on Monday, April 7, 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 County Attorney Larry Murrell, Assistant County Attorney Alan Wilson, and Auditor Martha Lake.

The meeting was called to order by Captain Jerry Asher and conducted by President 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 March 17, 2014 Regular meeting, having been previously submitted and reviewed, were approved on a motion made by Mr. Moore and seconded by Mr. Bray.

The minutes of the April 2, 2014 Executive Session were submitted. In attendance were Commissioners Paul Wyman, Tyler Moore, and Brad Bray; Charles Sparks; Chris Hamm; County Attorney Larry Murrell. The purpose of the meeting was to consider the appointment of public officials including but not limited to developing a list of prospective appointees, as authorized by IC 5-14-1.5-6.1(b)(10). The minutes were approved on a motion made by Mr. Moore and seconded by Mr. Bray.

IN THE MATTER OF DEPARTMENTAL REPORTS:

PLAN COMMISSION:

1) Plan Commission Director Greg Sheline submitted Ordinance No. 2014-BCCO-09, an ordinance rezoning property located at 225 West County Road 450 North from AG (Agricultural) to C1 (small to medium scale General Commercial). There was no remonstrance at the Public Hearing held for this request, and was a zoning oversight that needed to be corrected. A motion was made by Mr. Moore to approve Ordinance No. 2014-BCCO-09, rezoning property from AG (Agricultural) to C1 (small to medium scale General Commercial). The motion was seconded by Mr. Bray and carried.

2) Bids for the demolition of flooded property at 617 Hillcrest Court were received at 8:30 a.m. in the Plan Commission Office and are now submitted as follows:

Alliance Excavating and Demolition Inc.	\$11,385.00
Feightner Excavating	\$10,810.00

This is the final property included under the extension of the Flood Mitigation Grant. A motion was made by Mr. Moore, seconded by Mr. Bray and carried to take the bids under advisement for further review by the Plan Commission.

COUNTY HOME:

1) Superintendent Jennifer Vary asked for approval to host Comcast Cares Day at the county home on April 26, 2014, from 8 a.m. – 12 Noon. Local Comcast employees and their families and non-profit community partners will "...participate in the company's annual national company-wide day of service." Ms. Vary submitted a flyer prepared by Friends of Howard Haven to post in County buildings, informing people of the Comcast Cares Day, and asking for volunteers from the community to join with Comcast for this event. A motion was made by Mr. Moore to approve Comcast Cares Day on April 26, 2014, and authorize the posting of flyers in county-owned buildings. The motion was seconded by Mr. Bray and carried.

2) Ms. Vary submitted an Admission Application on behalf of Ms. Sherry E. Kennedy. Ms. Kennedy is a resident of Howard County and is ARCH eligible. After reviewing the application a motion was made by Mr. Moore to approve the Application of Residency at Howard Haven, subject to the usual ninety (90) day probationary period, for Ms. Sherry Kennedy. The motion was seconded by Mr. Bray and carried.

PERSONNEL:

1) Personnel Director Wanda McKillip informed the Board that Tuesday, April 22, 2014, the Boston Mutual Life representative will be in Howard County at the Administration Center, Government Center, and the Courthouse, to

meet with County employees concerning the option to sign up for additional life insurance. She would also like to ask approval to distribute the memo to the county employees. A motion was made by Mr. Moore, seconded by Mr. Bray and carried to approve the Boston Mutual Enrollment information and its distribution to Howard County employees.

2) Letters are being sent to qualified employees of the re-testing for the Anthem Wellness program.

MAINTENANCE DEPARTMENT:

1) Maintenance Superintendent Bill Stonestreet reported a boiler failure in the Criminal Justice Center. The boiler in question is beyond repair and the estimated price for replacement is \$13,200.00. Irish Mechanical is working with a company that will do an emergency build for Howard County. The new boiler will be delivered by Wednesday and Irish Mechanical hopes to have the boiler operational by Friday of this week. Mr. Stonestreet is requesting that payment be made from the Cumulative Capital Fund, Building Upgrade line item (1138-000-04724.05). Sheriff Rogers agrees that payment from this line item is appropriate. A motion was made by Mr. Bray to approve the purchase of a new boiler for the Criminal Justice Center, in the amount of \$13,200.00 from the Cumulative Capital Fund (1138-000-04724.05). The motion was seconded by Mr. Moore and carried.

2) Mr. Stonestreet has obtained three quotes for demolition of the penthouse on the roof of the Administration Center, in order to install a generator. Select Recovery Services offered the lowest bid at \$5,200.00. Our Maintenance Department will supply several laborers to help with the demolition, bringing the total cost down. There is no value left in the pieces that will be removed, but any scrap money will be applied to the cost of demolition. Mr. Terry Tribby has given approval to pay for the demolition from the Information Systems line item in County General (1000-031-04722.00). The funds in this line item come from the insurance that covered the emergency tower that was damaged in the November, 2013 tornado. This tower was not going to be replaced, so the State approved the insurance money to be used for public safety. Because the generator will be used to run IT servers that run 911 dispatch, this project would meet qualifications for public safety. A motion was made by Mr. Moore to approve the demolition services of Select Recovery Services, in the amount of \$5,200.00, to demolish the penthouse and equipment on the roof of the Administration Center. Mr. Wyman vacated the chair in order to second the motion and the motion carried with two aye votes. Mr. Bray, citing a conflict of interest, abstained from voting.

IN THE MATTER OF AN APPOINTMENT TO THE HOWARD COUNTY EMERGENCY PLAN COMMITTEE:

A motion was made by Mr. Moore, seconded by Mr. Bray and carried to appoint Mr. Greg Sheline to the Howard County Emergency Plan Committee.

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:** Commissioners' Salary, Hourly, and Overtime Claims, payable April 11 and 18, 2014, in the amount of \$352,970.44 each, were approved on a motion made by Mr. Bray and seconded by Mr. Moore.
2. **Operating Claims:** Operating Claims payable today, in the amount of \$529,361.54, were approved as submitted on a motion made by Mr. Bray and seconded by Mr. Moore.
3. **Travel Claim For Health Department:** Ms. Lake submitted a travel claim from Health Department Director Kent Weaver that is outside the stated Travel Policy. A motion was made by Mr. Moore, seconded by Mr. Bray and carried to approve the travel claim for Mr. Kent Weaver.
4. **Early Pay Claim:** A claim was submitted by Auditor Lake, on behalf of Treasurer Ann Wells, for the payment of postage for the Tax statements, in the amount of \$14,880.02, to Worrell Corp. The tax bills will be sent on April 17, 2014. The early pay claim was approved for payment as submitted on a motion made by Mr. Bray and seconded by Mr. Moore.
5. **Early Pay Claims:** Ms. Lake requests that President Wyman's signature be confirmed on two early pay claims: one to KSM Consulting in the amount of \$3,257.80 for consulting services for abatement computations; one to Kightlinger Gray LLP in the amount of \$2,753.60 for services rendered in a litigation

case for the Clerk's Office. President Wyman's signature was confirmed on both early pay claims on a motion made by Mr. Bray and seconded by Mr. Moore.

6. **Monthly Reports:** Ms. Lake submitted the Treasurer's Monthly Report for the month ending January 31, 2014, and the Report of Collections for the Recorder's Office, for the month ending March 31, 2014. Both reports were reviewed and received on a motion made by Mr. Bray and seconded by Mr. Moore.
7. **Early Pay Claim:** Ms. Lake submitted an early pay claim for the Highway Department which is a purchase of a parcel for Howard County Bridge #64, Lafountain Street. The parcel is owned by Jeffrey T. and April K. Jones and the amount of the purchase is \$1,800.00. Also, as a part of the purchase process, the Board of Commissioners will waive the requirement that a partial release be obtained prior to payment and transfer for the mortgage to GMAC Mortgage Corporation. A motion was made by Mr. Moore to approve the early payment of a claim for Jeffrey T. and April K. Jones, and Midland Mortgage, for the purchase of a parcel to complete Howard County Bridge #64, from the Highway Department. The motion was seconded by Mr. Bray and carried.
8. **Highway Department Annual Report:** On behalf of Highway Superintendent / Engineer Ted Cain, Ms. Lake submitted the 2013 Annual Report for the Highway Department. President Wyman asked that copies of the annual report be made for each commissioner to review, and that it be included as an agenda item for the April 21st meeting.
9. **DLZ Invoice:** Mr. Wyman submitted an invoice from DLZ Indiana, in the amount of \$2,568.93, for professional services rendered through 03/08/14 for the Howard County Work Release Feasibility Study. A motion was made by Mr. Moore, seconded by Mr. Bray and carried to approve the invoice from DLZ Indiana, in the amount of \$2,568.93, for payment.
10. **ORDINANCE NO. 2014-BCCO-11:** Ms. Lake submitted Ordinance No. 2014-BCCO-11, an ordinance enacting and adopting a supplement to the Code of Ordinances for Howard County, Indiana and declaring an emergency. The ordinance was reviewed and approved on a motion made by Mr. Moore and seconded by Mr. Bray.

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

County Attorney Larry Murrell submitted the following issues for the Board's information and approval:

1. **Invoices:** Mr. Murrell submitted a Barnes & Thornburg invoice in the amount of \$1,528.00, for general finance advice for the period ending February 28, 2014. Also submitted was an invoice on behalf of Assistant County Attorney Alan D. Wilson, in the amount of \$1,000.00, for six months of office allowance. Both invoices were approved for payment as submitted on a motion made by Mr. Moore and seconded by Mr. Bray.
2. **Assessment Contracts:** At the March 17th meeting the Board of Commissioners approved Assessment Services contracts with Ad Valorem (*please refer to page two, "In The Matter of Departmental Reports: County Assessor", of the March 17, 2014 Regular Meeting minutes*). The State has since reviewed the contracts and made changes to the form of the agreements. The agreements do remain the same in content and Ms. Shepherd asks that the Board of Commissioners approve the State adjusted form of the Reassessment Services Contracts. A motion was made by Mr. Moore, seconded by Mr. Bray and carried to approve the 2014 Annual Adjustment and 2018 Annual Adjustment & Cyclical Reassessment Contract as adjusted by the State.
3. **Resolution No. 2014-BCCR-9:** Mr. Murrell submitted Resolution No. 2014-BCCR-9, a resolution authorizing enforcement action of the Memorandum of Understanding with the City of Kokomo. The MOU, as well as the specifications of the grant monies used to construct the new system, was an agreement that all property owners in Darrough Chapel be connected to the newly constructed sanitary sewer collection system. The County has made every effort to encourage and help property owners to connect to the new system and all but three have complied. This resolution will allow the County to continue with enforcement by proceeding with court action. The Attorney's office will issue another letter to the three property owners, offering another chance to hook up to the new system before filing suit. A motion was

made by Mr. Moore to approve Resolution No. 2014-BCCR-9. The motion was seconded by Mr. Bray and carried.

IN THE MATTER OF COMMISSIONER ISSUES:

COMMISSIONER BRAY:

- 1) Commissioner Bray reported that Everbridge Notification is working. Last week's serious storm warning notifications came through.
- 2) Mr. Bray attended a Cyber Security Planning meeting with Information Systems Director Terry Tribby for two days, in Brownsburg. In this age of cyber technology it's important to have the proper security measures. Mr. Bray reported that many of the recommended security procedures and technology we already have in place.

COMMISSIONER MOORE:

- 1) Mr. Moore received a letter from Butler Fairman & Seufert, concerning the final field check for the Bridge No. 64 (Lafountain Street over Kokomo Creek) rehabilitation project. A motion was made by Mr. Moore, seconded by Mr. Bray and carried to receive the Final Field Check letter sent from Butler Fairman and Seufert.
- 2) IDEM Notices as follows:
 - a) Application for Air Quality Permit from Patriot Porcelain LLC, 2500 N. Union Street
 - b) Air Permit Application from Chrysler Group LLC – Indiana Transmission Plant. A legal notification of 30-day public comment was included.
- 3) The 2013 Annual Report for the Kokomo Automotive Museum was received. Also with the report was a flyer for the Fund Raiser for the Museum on Friday, April 25, 2014 at the Automotive Museum. Both items were received by the Board on a motion made by Mr. Moore and seconded by Mr. Bray.
- 4) The Board received a letter from FEMA Region V, Mitigation Division, inviting community officials, mitigation consultants, and regional stakeholders in Howard County to participate in a new risk reduction advocacy program, in hopes to identify local vulnerability and find activities that can result in safer communities. The letter was received (and will be on file in the Auditor's Office) on a motion made by Mr. Moore and seconded by Mr. Bray.

COMMISSIONER WYMAN:

- 1) Mr. Wyman received a Thank-You letter from Bona Vista, concerning the \$5,000.00 Grant from Howard County, in December, 2013. Also included in the letter was a listing of the results of the program that tried to match individuals with disabilities with job opportunities. Seventeen (17) individuals with disabilities were able to receive internships. Of those 17, nine (9) were offered permanent employment.

IN THE MATTER OF PUBLIC COMMENT:

At this time President Wyman opened the floor for public comment as follows:

Terri Rose, Veteran Advocate with Family Service Association, and a Gold Star Mother: Ms. Rose informed the Board of Commissioners that the public grand opening of Jackson Street Commons will be held on Thursday, May 22, 2014 from 2:00 – 2:30 p.m. She and Ms. Judy Dennis requested that President Wyman speak at the event, on behalf of the Board of Commissioners. Jackson Street Commons is a one bedroom apartment complex with twenty-seven (27) units for homeless veterans. It is a \$3.6+ million complex that is only short \$14,000.00. She thanked veterans, the Board of Commissioners, and many other organizations and businesses for the contributions that made this project possible. On a personal note, Ms. Rose commented that tomorrow morning (Tuesday, April 8) is the seven (7) year anniversary of her son's death in Iraq. She thanked the area Veterans organizations, Howard County and City of Kokomo, for the support she and her family have received in the last seven years. Support of Jackson Street Commons is another way for the community to show they care. Ms. Rose was thanked for her family's personal sacrifice and the work she has done for this project, and reminded all that the funds donated come with the approval of the County Council as well as the taxpayers of Howard County.

Jerry Paul, President of the Howard County Veterans Memorial Corp at Darrough Chapel Park: At the April 7th meeting the Commissioners gave consent to Mr. Paul to obtain an estimate on the cost of a POW flag to fly from the Administration Center flagpole (*please refer to page five, “In The Matter of Public Comment”, of the Regular Meeting minutes dated April 7, 2014*). Mr. Paul submitted the estimate to the Commissioners and was directed to order the flag that would be privately funded.

Mr. Paul also submitted a request to the Commissioners for financial assistance for the Veterans Family monument, in the amount of \$50,000.00. The Veteran Memorial Project is in part II, phase II of the project and the monument sculpting will begin, possibly this week, by Mr. Benjamin Victor from South Dakota. The following organizations were represented at the meeting, in support of the monument: Marine Corp League; 5th District Veterans of Foreign Wars; Vet to Vet, Indiana; Howard County Viet Nam Veterans; Chapter 1152 VFW; several individual veterans and taxpayers.

At the close of the presentation, President Wyman informed Mr. Paul that the Commissioners will have a response to this request at the May 5th meeting, which begins at 4:00 p.m.

Janie Young, City of Kokomo Councilwoman: Ms. Young was in attendance to inform the Board of Commissioners of the future construction of a Memorial Wall and statue commemorating Dr. Martin Luther King Jr., to be installed on the corner of Apperson Way and LaFountain Streets. This monument and space will serve “...as an historical public space for people to remember, learn, and enjoy.” The Memorial designer is Mr. Scott Pitcher, and the sculptor is a local artist, Mr. Jonathan Russell. The proposed cost of the project is \$150,000.00. Ms. Young distributed copies of a map and other pertinent materials to the Commissioners. There will be a Rev. Martin Luther King, Jr. Memorial Project Gala as a fund-raising effort. The City of Kokomo has promised a \$10,000.00 donation to the project. Ms. Young is asking that the Board of Commissioners purchase three (3) tables for young people to attend the Project Gala. She is also asking the Commissioners to consider a pledge of \$75,000.00 for the project.

Mr. Wyman responded that the Board will consider the request and have a response to submit at the May 5th Commissioner Meeting.

Grace Aprill, 12765 E. County Road 100 North, Greentown, Indiana: Ms. Aprill informed the Commissioners that according to E.ON, 110 wind turbines will be installed in Phase II & Phase III of the Wildcat Wind Farm (50 in Howard County and 60 in Grant County). Ms. Aprill distributed copies of maps and other materials to the Board of Commissioners. Ms. April reminded the Commissioners of the World Health Organization’s recommendation of 4,921 feet of set-back distance for a wind turbine to the nearest home, and a decibel level of less than 30 decibels during sleep hours. Ms. Aprill requested the Board of Commissioners to please be overly cautious when it comes to the safety of its citizens, in the construction and operation of an industrial wind farm. She asked that the Commissioners cancel the existing contract with E.ON.

John Garr, 1350 E. County Road 3710, Greentown Indiana: Mr. Garr urged the Commissioners to listen intently to Ms. Aprill’s presentation. He also wonders why we are installing wind farms in good, Indiana soil, taking away good farm land from agriculture.

Jane Garr, 3234 N. County Road 600 E., Greentown, Indiana: Ms. Garr is still representing citizens against Wind Farms in Howard County. There is a growing dissatisfaction with the installation of wind farms.

Roger Lee, North Eastern Howard County: Mr. Lee assured the Commissioners that those who are against wind farms in Howard County are still, “trumpeting the cause”, are adding more people to their cause, “... and will not give up”.

*There being no further business to come before the Board of Commissioners at this time
the meeting was adjourned at 5:11 p.m. on a motion
made by Mr. Moore and seconded by Mr. Bray.*

HOWARD COUNTY BOARD OF COMMISSIONERS:

PAUL G. WYMAN, PRESIDENT

TYLER G. MOORE, VICE PRESIDENT

ROBERT B. BRAY, MEMBER

ATTEST:

MARTHA J. LAKE, AUDITOR
Howard County Commissioner Meeting April 7, 2014