

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING DECEMBER 15, 2003

The Howard County Board of Commissioners met in Regular Session on Monday, December 15, 2003, at 8:30 a.m. in Hearing Room No. 338 of the Howard County Administration Center. Those in attendance included President Bradley J. Bagwell, Vice President John B. Harbaugh, and Member Paul J. Raver. Also present were County Attorney Larry Murrell, Auditor Martha Lake, and Personnel Administrator Wanda McKillip.

The meeting was called to order by Sheriff Marshall Talbert and conducted by President Bradley J. Bagwell.

The minutes from the last regular meeting held on December 1st, 2003 were considered. Mr. Raver made a motion to approve the minutes as submitted. Mr. Harbaugh seconded the motion, and it carried.

IN THE MATTER OF HIGHWAY ISSUES:

Mr. Ted Cain, Howard County Highway Engineer/Superintendent presented the following issues for Commissioner information and approval:

1. **Construction Inspection Proposals for Bridge No. 61:** *(See page 1, December 1st, 2003 minutes, "In the Matter of Highway Issues", Item 4, for related discussion)* Mr. Cain researched the performance of an alternative company and discovered they had experienced some turmoil. Upon Mr. Cain's recommendation, Mr. Raver made a motion to authorize Butler Fairman and Seufert to provide the construction inspection services for Bridge 61. Mr. Harbaugh seconded the motion, and it carried.
2. **Maintenance Bond No. BCI 1717924:** A three (3) year maintenance bond in the amount of \$9,003.15 was submitted from Mohr Construction Company, Inc. for the maintenance of stone base for streets, concrete curbs and gutters, asphalt streets, street signs and traffic control devices for The Greens at Wildcat Subdivision, Section 2, in Harrison Township.

Mr. Harbaugh made a motion to accept the maintenance bond for The Greens at Wildcat Subdivision, Section 2, as presented. Mr. Raver seconded the motion and it carried.

As a matter of record, the Commissioners already had accepted the streets in The Greens at Wildcat Subdivision, Section 2, at the December 1st, 2003 meeting. As a matter of procedure, Mr. Cain presented the performance bond form for President Bagwell's signature, which was then executed.

3. **Acceptance of Streets:** Following Mr. Cain's inspection, the following two new streets were considered:
 - a. The streets in **Walnut Estates Subdivision, Section 16**, were accepted on a motion made by Mr. Raver. Seconded by Mr. Harbaugh, the motion carried. The Commissioners signed the approval document.
 - b. The streets in **Cloverdale Subdivision, Section 9**, were accepted on a motion made by Mr. Harbaugh, seconded by Mr. Raver, and carried. The Commissioners signed the approval document.
4. **Transfer of Funds:** As a matter of the annual end of the year clean up, Mr. Cain proposed the following transfer of funds:

MOTOR VEHICLE HIGHWAY FUND:

FROM		TO		
APPROP NO.	ACCOUNT	APPROP. NO.	ACCOUNT	AMOUNT
44725	Garage Equipment	44721	Trucks	\$ 5,000.00
34251	Repair Building	34252	Repair Trucks	\$ 1,869.16
34253	Repair Graders	34252	Repair Trucks	\$ 1,800.00
31213	Travel	31510	Bonds	\$ 50.00
24322	Tires & Tubes	24323	Other Garage	\$ 128.49
32560	Rent Equipment	32253	Refuse Disposal	\$ 78.87
22373	Safety Supplies	22371	Hardware & Tools	\$ 116.81

Mr. Raver made a motion to approve the transfers as outlined by Mr. Cain. Mr. Harbaugh seconded the motion, and it carried.

CUMULATIVE BRIDGE FUND:

FROM		TO		
APPROP NO.	ACCOUNT	APPROP. NO.	ACCOUNT	AMOUNT
33701	B-61	33705	B-37	\$ 5,643.64

Mr. Raver made a motion, seconded by Mr. Harbaugh, and carried to approve the above listed transfer.

LOCAL ROAD AND STREET FUND:

FROM		TO		
APPROP. NO.	ACCOUNT	APPROP. NO.	ACCOUNT	AMOUNT
33759	Dixon Rd. – Judson Rd. to Zartman Rd.	33757	Dixon Rd., Zartman Rd. to Alto Rd.	\$ 22,757.38

A motion was made by Mr. Raver to approve the requested transfer. Mr. Harbaugh seconded the motion, which carried.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

Sheriff Marshall Talbert presented the following issues for Commissioner information and approval:

1. **Jail Report for the Month of November:** The average daily inmate population was 288 compared to 285 in October.
2. **Block Grant Award Notification:** *(See page 2, October 6th, 2003 minutes, “In the Matter of Sheriff Department Issues”, Item 1, for related discussion)* The paperwork was received for the Indiana Criminal Justice Institute Grant Award in the amount of \$6,318.00 to purchase 35 mm cameras for every deputy. A local match of \$702.00 will be paid out of the Commissary Fund.

Mr. Harbaugh made a motion to approve the Grant Award Notification and authorize the President to sign on behalf of the Commissioners. Mr. Raver seconded the motion, and it carried.

3. **Personal Injury Traffic Accident:** Corporal David McKinney was involved in a traffic accident on December 13th at the intersection of 300 West and 250 South. He had just arrived on the scene of a property damage traffic accident when a teenage driver slid into his vehicle while he was sitting inside. Corporal McKinney was treated and released from the hospital for a laceration to the back of his head. The squad car incurred \$3,000 to \$5,000 in damages. Corporal McKinney is recovering and expects to return to work in a few days.

IN THE MATTER OF PLAN COMMISSION ISSUES AND PROPERTIES FOR APPROVAL:

Plan Commission Director Glen Boise presented the following issues for Commissioner information and approval:

1. **Case 24-CP-03 – one (1) lot in Kirkendall Estate Subdivision, located at 3801 South 450 West** was approved on a motion made by Mr. Harbaugh. Mr. Raver seconded the motion, and it carried.
2. **Unsafe Buildings:** Mr. Boise had no new information to report.
3. **Flood Mitigation Issues:** A copy of the draft application was submitted to the Commissioners. Mr. Boise stated he is working on completing bids and costs calculations for the Drainage Board project.

IN THE MATTER OF MAINTENANCE DEPARTMENT ISSUES:

Assistant Superintendent Jeff Berry attended the meeting in Maintenance Superintendent Thomas Harrison’s absence.

1. **Door Project at Courthouse:** *(See page 3, December 1st, 2003 minutes, “In the Matter of Maintenance Department Issues”, Item 1, for related discussion)* Mr. Berry reported that an estimate was received from Kokomo Glass Shop, Inc. to replace some wood doors with glass doors. The cost to replace each door would be \$600 plus \$80.00 for shipping. Mr. Berry had good results with thoroughly cleaning a door with Murphy’s Oil Soap. He suggested cleaning a couple more doors and installing kick plates in lieu of having them completely refinished, which would save the County a considerable amount of money. The Commissioners were in favor of Mr. Berry’s suggestion.
2. **Painting Project:** Sheriff Talbert had earlier mentioned he would like to keep inmates busy this winter by doing inside painting in county buildings.

Mr. Raver commented there are some areas on the second and third floor of the Administration Center that need paint. Sherwin-Williams Company said it would take 28 to 30 gallons at \$23.00 for each can of paint for an approximate total of \$700 to \$800 paint the hallways and in front of the elevators on the second and third floor of the Administration Center and some areas in the Emergency Management Office and the Government Center. Mr. Harbaugh made a motion to approve the purchase of the paint and supplies as discussed at a cost of approximately \$800. Mr. Raver seconded the motion, and it carried.

3. **Benches in Holding Cell Area:** Mr. Berry said the maintenance staff would begin installing the new benches as soon as they arrive.

4. **Christmas Decorations for Courthouse:** No new information has been received from The Main Street Association regarding lights for the Courthouse exterior and evergreen trees.

IN THE MATTER OF PERSONNEL ADMINISTRATOR ISSUES:

Personnel Director Wanda McKillip presented the following issues for Commissioner information and approval:

1. **Insurance Premium Issue:** Mr. Doug Heath, Representative from Miles & Finch, Inc., stated the Howard County Insurance Committee met on December 9th, 2003 to discuss a premium issue concerning Mr. Vernal Baugh, a retiree. He was inadvertently left on the group insurance plan beyond his 65th birthday, which was in June of 1995 and now is unable to get the private Medicare Supplement Insurance. He is over 65 and retired and Medicare provides his primary coverage; the county's Group Plan provides his secondary coverage, however, he is being charged a primary coverage rate. The Committee recommended that the portion that he pays of his monthly premium for the County health insurance be set at \$200 per month effective 2/1/04. The main purpose is to set the rate in line with the cost of supplemental coverage, not primary coverage.

Mr. Harbaugh made a motion to approve the Insurance Committee recommendation regarding coverage for Mr. Vernal Baugh. Mr. Raver seconded the motion, and it carried.

2. **IN THE MATTER OF COMMISSIONER APPOINTMENTS:** The following reappointments were made for the year-2004:
 - a. **Kokomo Howard County Emergency Management Advisory Council:** Mr. Robert Oilar had agreed to serve another term. Mr. Raver made a motion to reappoint Mr. Robert Oilar to serve a one (1) year term beginning January 1, 2004 through December 31, 2004. Seconded by Mr. Harbaugh, the motion carried.
 - b. **Howard County Alcoholic Beverage Commission:** Ms. Beth Harshman was reappointed to serve a one (1) year term beginning January 1, 2004 through December 31, 2004 on a motion made by Mr. Harbaugh. The motion was seconded by Mr. Raver and carried.
 - c. **Howard County Board of Zoning Appeals:** Mr. Raver made a motion to reappoint Mr. Richard Lee to the Howard County BZA for another four (4) year term beginning January 1, 2004 through December 31, 2007. Mr. Harbaugh seconded the motion, which carried.
 - d. **City of Firsts Automotive Heritage Museum Board:** Mrs. McKillip provided a Certificate of Service for Mr. Thomas Hilligoss' time serving on the Board. Ms. Kathy Noel was appointed to serve a three (3) year term on the Board commencing January 1, 2004 through December 31, 2006 on a motion made by Mr. Raver. Seconded by Mr. Harbaugh, the motion carried.
4. The **Family Medical Leave Log for 2003** was confirmed on a motion made by Mr. Harbaugh. The motion was seconded by Mr. Raver and it carried.
5. The **COBRA Log** and the **Retiree Log** were submitted for Commissioner information.
6. On a separate matter, Mrs. McKillip presented appreciation gifts to the Commissioners and others in attendance for going through all the good times and challenging issues throughout the 2003-year.

IN THE MATTER OF INFORMATION SYSTEMS DIRECTOR ISSUES:

Information Systems Director Terry Tribby presented the following issues for Commissioner information and approval:

1. **E-911 Dispatch Link:** *(See page 5, November 17th, 2003 minutes, "In the Matter of Information Systems Director Issues", Item 2, for related discussion)* Mr. Tribby is scheduled to meet with Ameritech on December 18th to discuss canceling the ISDN line connection between E-911 Dispatch and the Kokomo Police Department. This will be a savings to the County for around \$1,000.00 per month. One pair of ISDN lines will remain as a back-up.
2. **Door Access System at Courthouse:** All of the access cards have been printed. As soon as the last line is installed to the prisoners' jail area, the system will be activated.
3. **Wireless Duress System Update:** The last radio ordered for the Courthouse security officers is anticipated to arrive today. Courthouse Security Deputy Craig Trott and Captain Napoleon Leal will make arrangements to conduct an all-county test with the Sheriff's Department and Kokomo Police Department. All officers will have the opportunity to hear the pre-recorded messages transmitted by the duress system.
4. **Workstation Upgrades at Courthouse:** Information Systems personnel are currently working on getting the twenty-two (22) new workstations ready for production.
5. **Disposal of Old Computers:** Mr. Tribby has always been reluctant to sell used computer equipment to employees due to the risk that sensitive data might remain after cleaning the hard drive. Recently he discovered some free software that will clean off hard drives according to government standards. The

government standards require the hard drive to be swiped a minimum of seven times. The new software would cost the county nothing and is capable of swiping the hard drive up to 26 times. Mr. Tribby recommended allowing County employees to purchase the obsolete computer units at a minimal cost. After a discussion, Mr. Raver made a motion to authorize the sale of any obsolete computer systems for \$50.00 each accompanied by a disclaimer notice that the purchaser must sign which exempts the county from any operational flaws. Mr. Harbaugh seconded the motion, which carried.

6. **New Server at Courthouse:** *(See page 3, November 3rd, 2003 minutes, In the Matter of Information Systems Manager Issues”, Item 1, for related discussion)* The new server has arrived and installation will begin this afternoon. Imaging Office Systems from Indianapolis will be converting over the imaging application for the Clerk’s Office this week.

IN THE MATTER OF RECORDER SOFTWARE PROPOSALS:

(See page 4, October 20th, 2003 minutes, “In the Matter of County Recorder Software Upgrade” for related discussion)

County Recorder Linda Koontz received the following two (2) proposals for a software program in order to resolve some software issues:

Computer Systems Incorporated (CSI) from Fishers, IN
Fidlar Companies, Rock Island, IL

County Attorney Larry Murrell briefly outlined the process for accepting the Requests for Proposals. Mr. Bagwell said first step is to note the name of the submitters and to provide the documents to Ms. Koontz and Mr. Tribby for further evaluation to make sure the requirements have been met. The next step is to make a recommendation to the Commissioners at the next meeting on January 5th, 2004.

Discussion ensued regarding how the process of conversion will coordinate with the new software vendor. Attorney Larry Murrell advised the extent that these companies will be able to convert needs to be addressed when reviewing the proposals. If neither company can convert, both responses might be inadequate. Mr. Bagwell said if the database is a freeware and not proprietary to Low, then the new software vendor should be able to write a conversion program. Mr. Tribby agreed with Mr. Bagwell’s comment.

Mr. Harbaugh made a motion to accept the proposals and submit them to the County Recorder and Information Systems Director for review and report back at the January 5th, 2003 meeting. Mr. Raver seconded the motion, which carried.

IN THE MATTER OF E-911 DISPATCH:

Communications Director Tony Ramsey presented the following issues for Commissioner information and approval:

1. **Addendum to Contract:** Mr. Ramsey presented an addendum to the E-911 Contract. Installation is a one time cost of \$3,200.00 with a recurring monthly cost of \$56.00 based on 850 calls per month.

Mr. Raver made a motion to approve Addendum Number 3 to the Enhanced 911 Service Agreement. Seconded by Mr. Harbaugh, the motion carried.

2. **Request for Transfer:** The cost for two new radio channels was taken out of the Equipment line, leaving a negative balance. Mr. Ramsey requested approval to transfer \$20,000.00 from Communications Systems to Equipment Account to bring the balance out of the red.

Mr. Raver made a motion to approve Resolution 2003-BCC-22 to transfer \$20,000.00 from Line Item 3216 to Line Item 4720 in Account 145 Howard County 911 Enhanced Services Fund. Mr. Harbaugh seconded the motion, and it carried.

IN THE MATTER OF PURCHASE OF RIGHT-OF-WAY PARCELS FOR ROAD IMPROVEMENTS:

Mr. James Hamilton from Butler, Fairman and Seufert, presented the following issues for Commissioner information and approval:

1. **Dixon Road (200 West) Project:** Mr. Hamilton submitted four (4) right-of-way acquisitions with the exception of Christ Lutheran Church at 3401 S. Dixon Rd. Each of the parcels is based on market estimate. Mr. Hamilton spoke briefly regarding the appraised values. Butler, Fairman and Seufert is in the process of preparing the appraisal for the church, which will be presented at the next meeting on January 5th, 2004.

Mr. Harbaugh made a motion to approve the appraisals and authorize the negotiations to purchase the right-of-way parcels. Mr. Raver seconded the motion, and it carried.

3. **Bridge 61 Project at 500 East 200 South:** A permanent right-of-way acquisition in the amount of \$450.00 was submitted. Mr. Raver made a motion to approve the appraisal and authorize the process to purchase the right-of-way parcels at Bridge 61. Seconded by Mr. Harbaugh, the motion carried.

4. **Road 400 North Project:** The Board previously authorized the right-of-way purchase for Parcel 4C. The Commissioners signed the form for the temporary right-of-way and the disclosure.

IN THE MATTER OF COURTHOUSE RENOVATION:

Mr. William Bassett of William Bassett and Associates presented the following issues for Commissioner information:

Following an on-site meeting with Terstep Company, Inc., they recommended suspending the ceiling and new lighting in Superior Court II. (*See page 5, December 1st, 2003 minutes, "In the Matter of Courthouse Renovations", Item 1, for related discussion*) Mr. Bassett submitted a Request for Proposals No. 40, Lighting, Ceiling, and Insulation for Superior Court II, at a cost of \$14,037.00. Mr. Raver advised this project still fits in with the appropriated amount in the Courthouse Renovation Fund, but the appropriation is nearly depleted. This project, along with the new benches for the holding cells and door project will be paid for in 2004.

Mr. Harbaugh made a motion to accept the Request for Proposal No. 40 for the lighting, ceiling, and insulation in Superior Court II in the amount of \$14,037.00. Mr. Raver seconded the motion, which carried.

IN THE MATTER OF PROPOSAL FOR VETERANS RECOGNITION:

Ms. Linda Whicker submitted a request on behalf of the Kokomo Elks Lodge #190 to sponsor a project to place a monument or plaque in the Courthouse to recognize and honor all United States Veterans who have served in war defending our country since the Vietnam War. All designs and proposals would be presented to the Commissioners for approval. Mr. Tom Harrison, Mr. Allen Polsgrove, and Mr. John Russell shall serve on the committee for this project.

Mr. Raver made a motion to approve the Veterans Committee of the Kokomo Elks Lodge #190 to proceed with the concept of recognizing veterans in the Courthouse rotunda. Mr. Harbaugh seconded the motion, which carried.

IN THE MATTER OF POOR RELIEF APPEALS FOR CENTER TOWNSHIP:

A Poor Relief Hearing was conducted on December 12, 2003 for Center Township on behalf of **Travis Story**. Mr. Story decided to drop his request for assistance. Commissioner Brad Bagwell, Poor Relief Hearing Officer, made a recommendation to uphold the written denial for assistance made by the Center Township Trustee on November 25, 2003. Mr. Harbaugh made a motion to uphold the denial of the Center Township Trustee based upon the finding that the Township Trustee followed the Eligibility Standards and Guidelines for Poor Relief applicable to the case. Mr. Raver seconded the motion and it carried.

IN THE MATTER OF DEDICATION OF DAIMLER CHRYSLER ITP PLANT 2:

Councilman Dwight Singer announced that Mr. James Mullins, Chrysler Corporation, has invited the Commissioners, County Council, County Attorney and County Auditor to attend a dedication of ITP Plant 2 on Friday, December 19th, 2003, at 9:00 a.m.

IN THE MATTER OF MAIN STREET ASSOCIATION – FIREWORKS DISPLAY:

Mr. Paul Wood, President of the Kokomo Main Street Association, submitted a written request to discharge a fireworks display off the Courthouse roof for the annual New Year's Eve Celebration. Copies of the Certificates of Liability Insurance for Main Street and Pyrotechnics Productions were submitted. Mr. Raver made a motion to authorize the pyrotechnic display to be discharged from the Courthouse roof for the New Year's Eve Celebration. Seconded by Mr. Harbaugh, the motion carried.

IN THE MATTER OF CLAIMS AND REPORTS:

Howard County Auditor Martha Lake presented the following reports for Commissioner information and approval:

1. **Operating claims payable on December 15th, 2003 in the amount of \$561,737.93** were approved on a motion made by Mr. Raver, seconded by Mr. Harbaugh, and carried.
2. **Commissioner's Salary Claims for hourly, salary, and overtime payable December 19th and December 26th (paid December 23rd) 2003**, were approved on a motion made by Mr. Harbaugh. Mr. Raver seconded the motion, and it carried.
3. **Honey Creek Township Fire Truck Claim:** Honey Creek Township has paid \$60,000.00 for the fire truck. The grant administrator, Tina Henderson, needed the President of the Commissioners to sign the claim voucher for \$90,000.00 from the Indiana Department of Commerce grant. Mr. Raver made a motion to authorize Mr. Bagwell to sign the claim voucher on behalf of the Commissioners. Mr. Harbaugh seconded the motion, which carried.

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

County Attorney Larry Murrell presented the following issues for Commissioner information and approval:

1. Attorney Murrell presented a claim for his monthly office allowance in the amount of \$550.00 for December 2003 and reimbursement for IMLA membership dues in the amount of \$75.00. Mr. Raver made a motion to approve payment. Mr. Harbaugh seconded the motion and it carried.
2. ***IN THE MATTER OF COMMISSIONER APPOINTMENTS:*** The Howard County Redevelopment Commission consists of five (5) members. Attorney Murrell advised that all five of the members wished to be reappointed for another term consisting of one (1) year:

Philip E. Wise
Bradley R. Newton
E.P. Severns, Jr.
Larry Hinesley
Dale E. Etherington

Mr. Raver made a motion to reappoint all five (5) individuals to the Howard County Redevelopment Commission for a one (1) year term each, beginning January 1, 2004 and ending December 31, 2004. Mr. Harbaugh seconded the motion, which carried.

3. **Chrysler Bond Issue:** The projected rate of savings will be approximately \$16,000.00 a year more than originally expected. With the bond sale, the total savings will be \$360,000.00 the first year and then about \$2,000.00 each succeeding year. The bonds will be paid off in the year-2007. Mr. Rick Hall at Barnes and Thornburg Law Firm is sending all of the necessary documents by next week to be signed by the Redevelopment Building Authority and Building Commission. The financing is anticipated to be concluded by Tuesday, December 23rd, 2003.
4. **Outstanding Year End Issues:** There are issues that need to be taken care of before the end of the 2003-year such as the law enforcement liability insurance, the general liability insurance, and the inmate telephone contract. Attorney Murrell suggested calling a Special Meeting to review these items and any other remaining issues before the end of the year.

Mr. Raver made a motion to schedule a *Special Meeting for Monday, December 29th, 2003, at 8:30 a.m.* in order to address any last minute issues before the end of the 2003-year. Seconded by Mr. Harbaugh, the motion carried.

IN THE MATTER OF COMMISSIONER ISSUES:

1. **New London Conservancy District:** Mr. Raver, County Auditor Martha Lake, and Grant Administrator Tina Mendenhall Henderson plan to attend a meeting on Wednesday, December 17th, 2003 at 9:30 a.m. with representatives from the New London Conservancy District.
2. **Taylor Township Regional Sewer District:** Grant Administrator Tina Mendenhall Henderson has indicated that Taylor Township found out that an archeological study is required in regard to the location of the treatment plant.
3. **Upcoming Meetings:**
 - a. The next sewage committee planning meeting will be held in February 2004.
 - b. The next MS4 meeting will be scheduled with Amy Moore in January, 2004.
 - c. A GIS Committee meeting will be scheduled after the first of the 2004-year.

There being no further business before the Board at this time, Mr. Harbaugh made a motion to adjourn. Mr. Raver seconded the motion and it carried. The meeting closed at 11:00 a.m.

THE HOWARD COUNTY BOARD OF COMMISSIONERS

BRADLEY J. BAGWELL, PRESIDENT

JOHN B. HARBAUGH, VICE PRESIDENT

PAUL J. RAVEN, MEMBER

ATTEST:

MARTHA J. LAKE, AUDITOR
Commissioner Minutes, December 15th, 2003