

## **HOWARD COUNTY BOARD OF COMMISSIONERS MEETING SEPTEMBER 20, 2004**

The Howard County Board of Commissioners met in Regular Session on Monday, September 20<sup>th</sup>, 2004, at 8:30 a.m. in Hearing Room No. 338 of the Howard County Administration Center. Those in attendance included President John B. Harbaugh, Vice President Paul J. Raver, and Member Bradley J. Bagwell. Also present were County Attorney Lawrence Murrell, Personnel Administrator Wanda McKillip, and Auditor Martha Lake.

The meeting was called to order by Sheriff Marshall Talbert and conducted by President John B. Harbaugh.

The minutes from the meeting held on Tuesday, September 7<sup>th</sup>, 2004, having been previously reviewed, were approved on a motion made by Mr. Raver. Mr. Bagwell 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. **Approval of Streets:** After inspection of the improvements to **The Greens at Wildcat Subdivision, Section 3**, by the Howard County Highway Department, it has been determined that the streets in this subdivision should be approved. The contractor will be responsible for the maintenance of the streets for three (3) years after approval and is required to provide a three (3) year maintenance bond.

The streets in The Greens at Wildcat Subdivision, Section 3, were approved on a motion made by Mr. Bagwell. Seconded by Mr. Raver, the motion carried.

2. **Performance Bond No. 400TE1601:** A three (3) year performance bond in the amount of \$904,000.00 was submitted from Old Jefferson Woods LLC and Mohr Construction Company, a Division of E & B Paving, Inc. for **Fredrick Farms Subdivision, Phase 1**, Center Township, for the stone base for street, asphalt paving for street, concrete curb, street signs, storm sewer, and erosion control. Mr. Cain previously reviewed the document and determined that the bond was in order and ready to be accepted.

Mr. Bagwell made a motion to accept the maintenance bond for Fredrick Farms Subdivision, Phase 1. Mr. Raver seconded the motion, and it carried.

*Mr. Cain shared with the Board that upon inspection of some subdivision streets, he has discovered clogged culverts, grass not sown, dirt on the streets and mud accumulated in cul-de-sacs as high as the curb. From this date forward Mr. Cain stated that erosion control is required to be included with performance bonds. Although the inclusion is necessary, it would increase the amount of a bond.*

3. **Bridge 61 Improvements:** Bridge 61 will close on Monday, September 27<sup>th</sup>, 2004 in order for the scheduled construction to begin. The contractor for the project estimated the repair work would be finished by December 4<sup>th</sup>, 2004 and the bridge would be open by Christmas.

#### **4. County Projects in Progress:**

- a. **400 North Project:** The project is moving forward. Mr. Cain reported that he has received no complaints from residents in that area.
- b. **Dixon Road Project:** The County has not received a bill for the Dixon Road project. The County State Agreement has not been available for signatures and there was a problem regarding credits for reimbursement to the County. When the costs of the project were turned in, the consultant did not separate the County's portion of 20%. Mr. Cain received word that it would take approximately one month to resolve the credit issue. Although the County is not going to have enough credits to pay the extra 10%, Mr. Cain advised enough money has been set aside to pay for the project. Construction is projected to begin in late November 2004, unless the work is delayed due to the winter season.

#### **5. Purchase New Equipment:**

- a. **Dump Truck:** Mr. Bagwell made a motion to authorize Mr. Cain to entertain quotes to purchase a 2005 single axel dump truck. Seconded by Mr. Raver, the motion carried.
- b. **Tractor/Mower:** There is only one aging tractor/mower which is used to service the entire county. Mr. Cain is researching prices for a new tractor/mower.

### **IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:**

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

1. **Memorandum of Understanding:** (See page 1, September 7<sup>th</sup>, 2004 minutes, "In the Matter of Sheriff Department Issues", Item 1, for related discussion) The "Memorandum of Understanding Between The Integrated Public Safety Commission and Howard County" designed for the Hoosier Project SAFE-T Program, which would allow interoperability between the state wide public safety radio

system and Howard County remained under review by the County Attorney. At the Sheriff’s request, the Commissioners, by consensus, continued discussion on the issue until the next meeting.

2. **Law Enforcement Block Grant:** The Sheriff presented Local Law Enforcement Block Grant #2004-LB-BX-1561 for consideration. In the past few years the City received 100% of the funds. Finally the grant has been split and the County will be awarded \$6,166.00 with a local match of \$685.00 to be paid out of the Commissary Fund. The grant totals \$6,851.00. Sheriff Talbert proposes to use the funds to purchase equipment for the Reserve Deputy Program. Two requirements must be completed within 90 days of the August 4<sup>th</sup>, 2004 award date (by November 4, 2004) in order to receive the grant money:
- 1. Hold a public hearing on the grant and its proposed use.
  - 2. Schedule an advisory board meeting to approve the proposed use. The Advisory Board shall consist of:
    - a. Member of Police/Sheriff Department
    - b. Prosecutor or Deputy Prosecutor
    - c. Judge from local Court system
    - d. Member of the local school system
    - e. Member from local crime prevention or drug use prevention organization

Attorney Larry Murrell advised the Sheriff that the notice of public hearing is required to be advertised in both the Kokomo Tribune and the Kokomo Herald.

Mr. Bagwell made a motion to schedule a **Public Hearing to be held during the Regularly Scheduled Commissioners’ Meeting at 9:00 a.m., Monday, October 18, 2004** to address Local Law Enforcement Block Grant #2004-LB-BX-1561. Mr. Raver seconded the motion, and it carried.

3. **Purchase Equipment:** Currently there is a balance in excess of \$105,000.00 in the Sheriff’s Department automobile line item. In place of purchasing more vehicles in the 2004-year, the Sheriff would like to purchase some items urgently needed at the jail. Although there are four vehicles with high mileage, the Sheriff anticipated that the current vehicles would keep going until new appropriations have been received for 2005. The Sheriff proposes to reserve \$26,000.00 in the Cumulative Capital Development Fund in case of an emergency.

Some of the mattresses at the jail are worn and have splits and cracks. The State Jail Inspector has advised that this type of condition does not allow the mattresses to be properly disinfected. Captain Vincent proposes to purchase durable storage containers in lieu of the inmates storing personal property in paper bags under the bunk beds. Captain Harold Vincent outlined the type of equipment requested and price quotes that are valid until November 12<sup>th</sup>, 2004:

150	Norix Armless Chairs. These chairs are of institutional, one piece molded construction with no dangerous wood or metal components. 150 x \$40.95 = \$6,142.50 plus freight \$209.00.	\$ 6,351.50
400	Derby, sealed seam, patented technology mattresses. 400 x \$89.00 = \$35,600.00 plus shipping \$300.00.	\$35,900.00
350	Property containers. 350 x \$46.00 = \$16,100.00 plus shipping \$520.00, minus \$805.00 or 5% discount	\$15,815.00
9	POD Officer chairs. 9 x \$256.41, plus shipping \$166.68, minus discounts \$230.77	<u>\$ 2,243.60</u>
TOTAL		\$60,310.10

Because the appropriation in the automobile line item is designated specifically for vehicles, Auditor Martha Lake advised that a simple transfer within the Cumulative Capital Development Fund would be appropriate. Discussion of the purchase procedure ensued. The costs for the chairs and property containers are below \$25,000.00, which would not require quotes. The cost of the mattresses exceeds the \$25,000.00 rule. However there is only once source that has the patented technology available, which would qualify it as a special purchase and not require quotes.

Mr. Bagwell made a motion to authorize a special purchase of 400 Derby mattresses as a sole source for that type of technology at \$35,900.00; approve the purchase of 150 Norix Armless Chairs at \$6,351.50, 350 property containers at \$15,815.00 and 9 POD Officer chairs at \$2,243.60, for a total cost of \$60,310.10; and concur with the transfer of funds out of the Cumulative Capital Development Fund Automobile Line Item for the purchase of these items. Mr. Raver seconded the motion, which carried.

4. **Jail Seminar:** The Sheriff reminded the Commissioners that DLZ Indiana, LLC would be hosting a County Jail and Community Corrections Seminar on **Thursday, September 23, 2004 in Indianapolis**. Anyone interested in attending the seminar needs to meet at the jail at 6:45 a.m. and transportation would be provided. The registration for the free seminar is scheduled to begin at 8:30 a.m. and concludes at 5:00 p.m.

### **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. There were **no subdivision plats** submitted for approval at this time.
2. **Unsafe Buildings:**
  - a. Mr. Boise recently inspected several homes and plans to conduct further inspections on the east side of the county.
  - b. A house located at 948 West 400 South in Harrison Township sustained damages from a fire. Mr. Boise sent a letter requesting the property owners, Richard and Brenda Parks, to secure the house from trespassers.
3. **Flood Mitigation Issues:** *(See page 2, September 7<sup>th</sup>, 2004 minutes, "In the Matter of Plan Commission Issues and Properties for Approval", Item 6, for related discussion)*
  - a. **Multi-Natural Hazard Mitigation Plan Update:** Mr. Boise asked the Commissioner President to sign a letter inviting Greentown and Russiaville to participate in preparing and adopting the Multi-Natural Hazard Mitigation Plan.

Mr. Bagwell made a motion to invite representatives from the Towns of Russiaville and Greentown to participate in a Multi-Natural Hazard Planning Steering Committee and authorize the President to sign the letters of invitation on behalf of the Board. Seconded by Mr. Raver, the motion carried.
  - b. **Request for Contract Services:** Mr. Bagwell made a motion to approve the hiring of a consultant for the preparation of a Multi-Hazard Plan, subject to review by Plan Commission Attorney Brian Oaks.
4. **Status of Grant Activity:** *(See page 3, August 16<sup>th</sup>, 2004 minutes, "In the Matter of Plan Commission Issues and Properties for Approval", Item 3, for related discussion)*
  - a. **Flood Mitigation Grant:** The appraisers and title company were notified that their services were selected at the meeting held on September 7<sup>th</sup>, 2004. The title work required for the purchase of two homes has been completed and the Plan Commission has received the bill. The appraisers are working on the appraisals and Mr. Boise anticipates having further information by the first of October 2004.
  - b. **IHFA Block Grant:** The deadline to submit an application for the next round of the Community Development Block Grant from the Indiana Housing Finance Authority is October 1, 2004.

Mr. Bagwell made a motion to approve the application for the grant from the Indiana Housing Finance Authority as described by Mr. Boise. Mr. Raver seconded the motion, and it carried.

### **IN THE MATTER OF MAINTENANCE DEPARTMENT ISSUES:**

Maintenance and Grounds Superintendent Thomas Harrison presented the following issues for Commissioner information and approval:

1. **Courthouse Maintenance Updates:**
  - a. **Superior Court I:** Mr. Raver commented that painting in Superior I Courtroom was included in part of the Courthouse Renovation Project but former Judge Dennis Parry did not want any work done in his courtroom. At the Council meeting on August 24<sup>th</sup>, 2004, Judge Michael Krebs reported a problem with paint peeling and falling down into the courtroom and office area. Mr. Harrison presented a proposal from Williams Painting Company to repair and paint the interior surfaces in the Courtroom area at a cost of \$6,850.00. There is enough money in the Courthouse Renovation Fund to pay for the repair and painting work.

Mr. Raver made a motion to authorize Mr. Harrison to proceed with the proposal from Williams Painting Company to repair and paint the Superior Court I area at a cost of \$6,850.00, and authorize the President to sign on behalf of the Board. Mr. Bagwell seconded the motion, which carried.
  - b. **Superior Court IV:** Hayes Brothers, Inc. is scheduled to start working on the new courtroom tomorrow.
  - c. **Exterior Handrail:** The center handrail at the east entrance has been correctly repaired and installed by Hayes Brothers, Inc. The initial cost of the repair work was \$1,500.00 but additional hand railing was repaired at the west entrance at a cost of \$524.00, increasing the total cost to \$2,024.00.

2. **Criminal Justice Center:** A leak was temporarily repaired in the 5-inch water line that connects to the soft water unit. As a preventative measure, Mr. Harrison felt it would be a good idea to replace all of the water lines connected to the unit. The repair work is anticipated to cost between \$20,000 and \$25,000. In order to avoid shutting off the entire water system during the repair work, the soft water unit would need to be bypassed. Mr. Harrison commented that only the kitchen and laundry areas need soft water. After a discussion about the cost for water conditioner salt with Mr. Art Fross, Mr. Harrison estimated that decreasing soft water usage would eventually compensate the cost to repair the water lines. In addition, Mr. Harrison plans to have a representative from a water conditioner company make recommendations regarding problems of electrolysis caused by the salt inside of the copper pipes.
3. **Administration Center:**
  - a. **Replace HVAC System:** The boilers and air conditioning system in the Administration Center are on the brink of failing to operate. Mr. Harrison stated, "The boilers are running on a wing and a prayer." Discussion ensued about hiring an expert to design a HVAC system to replace the old centrally designed system. Mr. Harrison estimated it would take approximately six months to complete a design and choose a vendor for the project. He estimated the project would cost around \$500,000.00.

Mr. Bagwell made a motion to take the issue under advisement pending further investigation and discussion regarding how to proceed. Mr. Raver seconded the motion, which carried.

  - b. **Auditor's Office Shelving Project:** Since Hayes Brothers, Inc. would be working nearby at the Courthouse tomorrow; Mr. Raver wanted to know if they would look at a future project regarding a design for shelving the transfer books in the Auditor's Office. Mr. Harrison said he would ask Hayes Brothers visit the Auditor's office soon.

#### **IN THE MATTER OF PERSONNEL ADMINISTRATOR ISSUES:**

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

1. **Breast Cancer Awareness Month:** October is breast cancer awareness month. A Free Breast Cancer Awareness Luncheon will be held for all City and County Employees on **Wednesday, October 6<sup>th</sup>, 2004 at 12:00 p.m. in the 2<sup>nd</sup> floor Commissary in Kokomo City Hall.** Mr. Bagwell made a motion to distribute the notices for the Breast Cancer Awareness Luncheon with employee paychecks on Friday, September 24<sup>th</sup>, 2004. Mr. Raver seconded the motion, which carried.
2. **Project Updates:** Mrs. McKillip reported one employee recently returned from sick leave and the office is back to being fully staffed. The staff is busy working on meeting end of the year deadlines for various projects, which includes revisions to the County Employee Handbook, job descriptions, and title changes. Mrs. McKillip proposes to schedule a P.E.R.F. Seminar in the near future. She advised that the Insurance Committee would be meeting in October to discuss issues and review insurance bids.

#### **IN THE MATTER OF INFORMATION SYSTEMS DIRECTOR ISSUES:**

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

1. **Interoperability Communications Upgrade Wireless Project:** *(See page 5, August 16<sup>th</sup>, 2004 minutes, "In the Matter of Information Systems Director Issues", Item 2, for related discussion)* A communications tower has been installed at Kokomo City Hall in conjunction with the ICU Wireless Project. The contractors are currently working on installation of second tower at the Criminal Justice Center.
2. **GIS Update:** The GIS Steering Committee has recommended moving forward with the Assessor/Auditor (maps and soils) portion of the GIS project and purchasing some ESRI software. A formal presentation is planned at the next Commissioners' meeting regarding changes and clarification of line items on the quote from The Schneider Corporation.

The Surveyor and Health Departments have already purchased some products from ESRI. Information Systems needs to make sure there is server large enough to accommodate the new software. Since the County Assessor has funds available to purchase a new server, Mr. Tribby configured a server based on the ESRI applications which also includes the Surveyor and Health Department Offices. Because critical deadlines for the MS4 Project are imminent, technicians from the Schneider Corporation will arrive toward the end of September to start the application for the Surveyor's office. Mr. Tribby presented a quote from Dell, Inc. for a new server at a cost of \$8,233.54. In addition, tapes and a SQL software license is needed, which would bring the total cost to \$10,108.54.

Mr. Bagwell made a motion to authorize the purchase of a new server from Dell, Inc. at a price of \$8,233.54, tapes, and SQL software license for a total cost of \$10,108.54, to be paid out of the County Reassessment Fund. Mr. Raver seconded the motion, and it carried.

3. **Connectivity Failure:** On Sunday, September 12<sup>th</sup>, 2004, a power surge interrupted power at the Criminal Justice Center, Courthouse, and Administration Center. Mr. Bagwell asked what had caused the power surge and why the equipment failed to protect the communication systems at the Dispatch Center. Mr. Tribby said the system appears to be configured properly. He will investigate to find the reason for the outage. He stated that the system was back up and running within a few hours.

Information Systems has connected the telephone systems at the Courthouse and Administration Center to UPS. He informed the Commissioners that Ameritech/SBC Communications closely monitors the telephone system at the Dispatch Center.

#### **IN THE MATTER OF COUNTY CLERK ISSUE:**

Clerk Mona Myers presented the following issue for Commissioner information and approval:

1. **Purchase Image Sealer/Folder:** The current sealer/folder for checks is deteriorating and replacement parts are obsolete. An Image Seal 608E is the only machine that would be able to accommodate the volume of 10,000 checks each month. Standard Register Company provided a quote for the sealer/folder at a cost of \$9,995.00 plus \$1,275.00 for the Maintenance Agreement for a total cost of \$11,270.00. Ms. Myers plans to use Title IV-D funds to pay for the purchase.

Mr. Bagwell made a motion to authorize the Clerk's Office to purchase the Image Seal 608E Folder/Sealer and Maintenance Agreement from Standard Register Company for a total cost of \$11,270.00 to be paid out of Title IV-D Funds, and authorize the President to sign on behalf of the Board. Seconded by Mr. Raver, the motion carried.

#### **IN THE MATTER OF SUCCESSFUL SELF DIRECTION PROGRAM:**

Attorney Scott Kinsey serves as a mediator and counselor for troubled youth and adult offenders. Mr. Kinsey conducted a presentation on the Successful Self Direction Program, which is an educational program designed to help reduce the crime problem in the community. The program promotes education and community support.

Two gentlemen in the audience voiced positive comments as to how their participation in the Successful Self Direction Program has helped their transition back into the community.

Mr. Kinsey introduced Mr. Douglas McAdam as the Instructor for the Successful Self Direction Program for more than 20 years. Mr. McAdam thanked Sheriff Talbert, Captain Vincent, and Maintenance and Grounds Superintendent Tom Harrison for providing rooms for the classes.

The Commissioners thanked Mr. Kinsey for the information provided.

#### **IN THE MATTER OF E-911 DISPATCH ISSUE:**

Assistant E-911 Director Steve Kline presented the following issue for Commissioner information:

The annual invoice from Aether Systems, Inc. was submitted in the amount of \$28,170.00 regarding the software for law enforcement personnel to run inquiries (i.e. driver licenses, license plates and wanted people) The City of Kokomo has paid 60% of the invoice in the amount of \$16,902.00. The County is responsible for 40% of the cost for \$11,268.00. Mr. Kline said there is enough money in contractual services line item in the E-911 Fund to pay for the County's portion. The County's share of \$11,268.00 is currently being processed in the Auditor's Office.

#### **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 September 20<sup>th</sup>, 2004 in the amount of \$90,254.38** were approved on a motion made by Mr. Bagwell. Seconded by Mr. Raver, the motion carried.
2. **Commissioner's Salary Claims for hourly, salary, and overtime payable for September 24<sup>th</sup>, and October 1<sup>st</sup>, 2004** were considered. Mr. Raver made a motion to approve payment. Mr. Bagwell seconded the motion, and it carried.
3. The **Howard County Treasurer's Report for the month of August 2004** was accepted on a motion made by Mr. Bagwell, seconded by Mr. Raver and carried.
4. **Additional Appropriations, Reductions, and Transfers to be considered at the Council meeting on September 28<sup>th</sup>, 2004** were presented for Commissioner information.
5. **U.S. 31 Coalition:** A letter was received from Mr. Dennis Faulkenberg, Executive Director of the U.S. 31 Coalition, Inc., thanking the Commissioners for their support of the U.S. 31 Coalition Project.
6. Copies of the **Soil and Water Conservancy District, August 25<sup>th</sup> 2004 minutes, and the agenda for the September 22<sup>nd</sup>, 2004 meeting** were provided to the Commissioners.

**IN THE MATTER OF COUNTY ATTORNEY ISSUES:**

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

1. Attorney Murrell asked if a **space is being provided at the jail for the inmates to participate in the Successful Self Direction Program**. Sheriff Talbert said space is provided at the jail for those who are incarcerated and a room is available at the Government Center to accommodate the program. The participants are either voluntary or mandated to attend the classes provided by the program.
2. Attorney Murrell advised that he **would not be in his office on Thursday, September 23<sup>rd</sup>, 2004**. He will be attending the County Jail and Community Corrections Seminar in Indianapolis with the Sheriff.

**IN THE MATTER OF COMMISSIONER ISSUES:**

1. **U.S. 31 Coalition Update:** Mr. Bagwell attended a meeting of the U.S. 31 Coalition in Elkhart on September 16<sup>th</sup>, 2004. The Howard County draft is anticipated sometime in November. The Record of Decision and Preferred Alternative are anticipated in February or March 2005. Mr. Dennis Faulkenberg, Executive Director of the U.S. 31 Coalition, Inc., plans to attend the Council meeting on September 28<sup>th</sup>, 2004 to provide an update regarding the activities of the project.
2. The **Weights and Measures Monthly Report for August 15<sup>th</sup> to September 15<sup>th</sup>, 2004** was accepted on a motion made by Mr. Raver. Seconded by Mr. Bagwell, the motion carried.
3. **MS4 Public Hearing:** As a reminder a **Special Meeting was scheduled on Monday, September 27<sup>th</sup>, 2004 at 7:00 p.m. in Hearing Room No. 338 of the Howard County Administration Center** to hold a public hearing with reference to the proposed MS4 ordinance for banning illicit discharges in Howard County. County MS4 Coordinator Greg Lake and Ms. Amy Moore, Professional Engineer with Butler, Fairman and Seufert, will conduct the presentation.

There being no further business, Mr. Bagwell made a motion to adjourn. Mr. Raver seconded the motion, which carried. The meeting closed at 10:20 a.m.

**THE HOWARD COUNTY BOARD OF COMMISSIONERS**

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JOHN B. HARBAUGH, PRESIDENT

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PAUL J. RAVEN, VICE PRESIDENT

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BRADLEY J. BAGWELL, MEMBER

ATTEST:

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MARTHA J. LAKE, AUDITOR  
Commissioner Minutes, September 20<sup>th</sup>, 2004