

## **HOWARD COUNTY BOARD OF COMMISSIONERS MEETING NOVEMBER 7, 2005**

The Howard County Board of Commissioners met in Regular Session on Monday, November 7, 2005, 8:30 a.m., in Hearing Room No. 338 of the Howard County Administration Center. Those in attendance included Board of Commissioner President Paul J. Raver and Member John B. Harbaugh. Also in attendance were Attorney Larry Murrell and Auditor Ann Wells.

*Due to the absence of Commissioner Vice President Bradley Bagwell,  
as a matter of proper procedure, Commissioner President Paul Raver vacated the chair,  
when necessary, to carry out the business of the County.*

The meeting was called to order by Sheriff Marshall Talbert and conducted by President Paul Raver.

Mr. Raver took the opportunity to introduce the newest member of the Kokomo Tribune reporting staff, Amber Rikken.

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

The minutes of two meetings were submitted and acted upon as follows:

1. **October 17, 2005:** The minutes of the October 17, 2005 Regular meeting were reviewed, having been previously submitted, and approved on a motion made by Mr. Harbaugh and seconded by Mr. Raver.
2. **October 27, 2005:** The minutes of the October 27, 2005 Administrative Meeting were approved on a motion made by Mr. Harbaugh and seconded by Mr. Raver.

### **IN THE MATTER OF HIGHWAY ISSUES:**

Highway Supervisor / Engineer, Ted Cain, submitted the following issues for Commissioner information and approval:

1. **Maintenance Bonds:** Two Maintenance Bonds from F & K Construction, Inc., were submitted by Mr. Cain. The first is for Walnut Estates, Section 17, in the amount of \$13,956.90; the second is for Walnut Estates, Section 17, Phase 3, in the amount of \$14,750.00. The bonds were approved on a motion made by Mr. Harbaugh and seconded by Mr. Raver.
2. **Inspection of Contract B-27637:** The Final Inspection Report for work done on Bridge #B-27637, project #9934035, was submitted for approval. The project was also inspected by Mr. Cain and met with his approval. A motion was made by Mr. Harbaugh, seconded by Mr. Raver and carried to approve the Final Inspection Report on Bridge #B-27637.
3. **Bids for the 2006 Truck with Distributor:** The bids received for the purchase of a new 2006 single axle truck and distributor were opened at the previous meeting and taken under advisement. Mr. Cain reported that the bid supplied by Erik's Chevrolet, found to be the lowest bid, did not meet with the specifications required. It was Mr. Cain's recommendation to accept the bid from Southeastern in the amount of \$111,500.00 less the \$3,500.00 trade in, for a total of \$108,000.00. A motion was made by Mr. Harbaugh, seconded by Mr. Raver and carried to accept the bid of \$111,500 less the trade in of \$3,500.00 from Southeastern for a 2006 Single Axle International Chassis and distributor. Southeastern was determined to be the lowest and **most responsive bid**.
4. **Weekend Tornado:** The west side of the county including New London and West Middleton, suffered the effects of the tornado that touched down early Sunday morning. The Highway Department and Criminal Justice Center lost power. Generators for both buildings supplied the needed power. Crews were on the streets to remove limbs and trees.

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

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

1. **Jail Population:** The present inmate population at the Criminal Justice Center, is 320. Ten inmates are housed at Clinton County and three are housed at the Department of Corrections.
2. **Unsafe Building:** At the October 3, 2005 Regular Meeting, the Commissioners authorized the repair to a building located at 2700 Dellwood Drive, using the services of the Inmate Work Program (*please refer to page 2, item 2 "In The Matter of Plan Commission Issues" of the October 3, 2005 Regular Meeting*). The job has been completed and received appreciation by Plan Commission Director, Glen Boise.
3. **Weekend Tornado:** Sheriff Talbert expressed appreciation to the Highway Department for their quick response to the tornado damage sustained by the county early Sunday morning. The Criminal Justice Center lost power and the back up generator worked well so that there was no interruption in service for the inmates and the E911 Dispatch system.
4. **Limited Access for the CID Department:** Mr. Greg Hargrove, Criminal Investigations, presented a need for the Investigations Department to be able to secure their portion of the building and create a limited access area. He thanked the Board for their support of the new laboratory room addition and assured them that the unused portion of the money that funded the project would be enough to finance the limited access area. A motion was made by Mr. Harbaugh to authorize the Criminal Investigation Department to build a limited access area. The motion was seconded by Mr. Raver and carried.
5. **Computerized Voice Stress Analyzer:** The CID has been using an Analogue Voice Stress Analyzer. The new Voice Stress Analyzer has been computerized and CID can no longer be certified and trained until they obtain the Computerized Analyzer and are trained in it. There is money in the Misdemeanant Grant to cover the cost of the new Voice Stress Analyzer, which is like a lap top computer. An exact price has not yet been determined, but Mr. Hargrove expects it to be around \$10,000.00 for all the equipment, software and training. A motion was made by Mr. Harbaugh, seconded by Mr. Raver and carried to authorize Mr. Hargrove to proceed with the purchase of the Computerized Voice Stress Analyzer.
6. **Kitchen Water Line Project:** Mr. Art Fross reported on the Kitchen Water Line Project (*please refer to page 2, item 6 of the May 15, 2005 Regular Meeting Minutes*). The project has been completed at a cost of \$1,499.48, a minimal savings of \$2,370.00. Mr. Fross commends Mr. Bill Laughlin for the fine job that was done.
7. **Padded Cell Repair:** One of the two padded cells has sustained floor damage. An exact repair estimate has not been received, but is expected to be between \$1,800.00 and \$2,000.00. A new surface will be applied that will be more resilient and able to take more abuse. When the cost of the project has been determined, Sheriff Talbert will request the money from Cumulative Capital Funds.
8. **Inmate Health Services Contract with Health Professionals, Ltd.:** The Sheriff's office currently has a contract with Health Professionals, Ltd., for inmate health services. The Sheriff's staff has been looking at other vendors and has asked that the termination clause to the present contract be amended to include an extra thirty-two days, extending the deadline for any notice of termination, to November 30, 2005. Mr. Murrell presented the amendment for Commissioners' approval. A motion was made by Mr. Harbaugh, seconded by Mr. Raver and carried to approve the amendment to the agreement and authorize the President to sign on behalf of the Board.

#### **IN THE MATTER OF PLAN COMMISSION ISSUES:**

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

1. **Case 1-PUD-05:** Two (2) lots in Regal Estates located at 3341 South 500 West. On a motion made by Mr. Harbaugh and seconded by Mr. Raver, Case 1-PUD-05 was approved.
2. **Case 34-CP-05:** Twenty-five (25) lots in Walnut Estates, Section 18, Phase 3 located at 1752 Foxhaven Drive. Case 34-CP-05 was approved on a motion made by Mr. Harbaugh and seconded by Mr. Raver.

3. **Case 26-CP-05:** One (1) lot in Karen's Estate Subdivision located at 10039 West 200 South. Case 26-CP-05 was approved on a motion made by Mr. Harbaugh and seconded by Mr. Raver.
4. **Case 30-CP-05:** One (1) lot in Woodside Hills Subdivision located at 748 East 550 North. On a motion made by Mr. Harbaugh and seconded by Mr. Raver, Case 30-CP-05 was approved.
5. **Ordinance 2005-BCC-63:** This is a rezoning ordinance to change the property located at 2077 East 00 North South from R-1 (residential) to B-2 (general business). A motion was made by Mr. Harbaugh, seconded by Mr. Raver and carried to approve Ordinance 2005-BCC-63.
6. **Private street in Regal Estates:** A letter was received by property owner Gayle McMim, confirming the installation of a private street located at 3341 South 500 West (*please refer to page 3, item 1, of the Regular Meeting Minutes dated October 17, 2005*). Mr. Ted Cain will inspect the road, then the funds frozen for this road project, can be released.
7. **Invitation to Quote for a Demolition Project:** Mr. Boise submitted a request to invite quotes for demolition of property located at 500 Ridge Road. This property has been purchased by the County and the owner has been given ninety (90) days to remove valuables. An Invitation to Quote has been prepared by Mr. Murrell, to be distributed, and can be opened at the December 5<sup>th</sup> meeting. A motion was made by Mr. Harbaugh to authorize Mr. Boise to distribute the Invitation to Quote. All quotes must be received by the Auditor's office no later than 3:00 p.m. on Friday, December 2, 2005, to be opened at the December 5, 2005 Regular Meeting. The motion was seconded by Mr. Raver and carried.
8. **Unsafe Building:** There is a basement form on a lot on Hidden Creek Road, off 100 West, that is not finished. There have been complaints from neighboring property owners considering the safety of the open basement with ten (10) foot drop. Mr. Boise has been in contact with the contractor but has not come to an agreement, yet. Mr. Boise will continue to monitor the situation.
9. **Request to use Unproductive Property:** A request was received from Mr. Travis Hintz to rent or lease the use of the cement pad located at 3258 West 250 South, as a storage location for his camper and small trailer. Mr. Hintz currently has an agreement with the Howard County Plan Commission to maintain the property since the demolition of the buildings. Any decision made on this property has to be confirmed by FEMA. Attorney Murrell and Mr. Boise will look into the legalities of this issue, considering there are other properties purchased by the County with Flood Mitigation Grant monies.
10. **Shed removal at 3258 West 250 South:** Mr. Boise is awaiting the removal of the remains of a shed, by the Inmate Work Crew (*please refer to item 4, page 3 of the Regular Meeting Minutes dated August 1, 2005*). The Sheriff's department will look at the remains to ascertain that the project is appropriate for the Inmate Work Crew.
11. **Multi-Hazard Mitigation Plan:** The October 27<sup>th</sup> meeting to present the Multi-Hazard Mitigation Plan went well. The Plan was presented and additional comments were received that were productive to the Plan. This Plan has to be approved by SEMA and FEMA. After their approval it will come back to the Board of Commissioners for their approval.

*At 9:37 a.m. the previously scheduled Public Hearings for  
Ordinance Numbers 2005-BCC-49, 2005-BCC-50 and 2005-BCC-51 were opened.*

The Ordinances to be considered and addressed are as follows:

Ordinance No. 2005-BCC-49, Howard County Health Department 2005 Fee Collection  
Ordinance No. 2005-BCC-50, Howard County Public and Semi-Public Swimming Pool/Spa  
Ordinance No. 2005-BCC-51, Howard County On Site Sewage Ordinance

Department of Health officials, Kristine Conyers, Sue Norris, and Michelle Arvin were present to answer any questions concerning the Ordinances. President Raver opened the Hearing for Ordinance No. 2005-BCC-49, 2005 Fee Collection,

giving opportunity for public comment and question. There being no questions from the public at this time, the floor was closed and the Board was advised by Mr. Murrell that this ordinance meets with legal standards and Mrs. Conyers directed the Board's attention to the changes in this Ordinance compared to the 2004 Ordinance, as follows:

- 1. Section 3, Fees for Services, letter D was added: For services provided in the permitting, inspection and testing of all Public Pools and Spas, which includes: private clubs, fitness centers, rehabilitation centers, motels, apartment complexes, municipalities and schools. Fees are waived for schools.
- 2. Section 4, Collection, Accounting, and Disposition, letter D was added: Any person whose check is returned for non-sufficient funds shall be subject to a fine in addition to the cost of the permit or service which must be paid in cash.
- 3. Schedule A, Section III-C, addition of Commercial Swimming Pools, Spas, Hot Tubs,

Annual per pool	\$150.00
Annual Pool & Spa	\$200.00
Seasonal per pool	\$100.00
- 4. Schedule A, Section III-G, addition of fee for checks returned for non-sufficient funds of \$50.00.

In light of these additions to the previous Ordinance, Mr. Raver reopened the floor for public comment or questions. The following citizens voiced their opposition to the fees pertaining to the addition of Commercial Swimming Pools, Spas, and Hot Tubs, also stating they did not receive notice of the Ordinance until October:

Dave Conwell	Cambridge Apartments
Vicki Jarvis	Maplecrest Apartments
Joel Kern	Turtle Creek Apartments
Marcy Dillon	Does not think schools should be exempt.
Gary Wright	Wildcat Creek Apartments
Lynne Sullivan	Autumn Trace Apartments
	Indiana Apartment Association

There were questions pertaining to why there are pool fees now, at this point in time. Mrs. Conyers explained that since the passing of the last Fee Ordinance, the state has written a pool regulation. The county Health Department will treat the Pool program as they do the Food and Septic programs, through the Ordinance process, a tool to train and enforce the regulations.

Mr. Murrell suggested that since there are pool fees in the Fee Ordinance, the Board may want to address the Pool and Spa Ordinance before taking action on the Fee Ordinance. Mr. Raver closed the floor for the Ordinance No. 2005-BCC-49 portion of the Public Hearing.

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The floor was opened for public comment and questions concerning Ordinance No. 2005-BCC-50, Public and Semi-Public Swimming Pools/Spa Ordinance. The following citizens voiced their opposition to the Ordinance as written, specifically concerning Section 10. Certified Pool Operator Requirement and its fines:

Lynne Sullivan	Indiana Apartment Association
Vicki Jarvis	Maplecrest Apartments
Joel Kern	Turtle Creek Apartments

Attorney, Larry Murrell clarified that this Ordinance does not replace any state requirements. Pool and spa owners would still have to comply with State regulations. The local Department of Health is not allowed to weaken the State laws, but to uphold them. What is different from the state guidelines are the enforcement and Certified Pool Operator portions of the Ordinance.

Michelle Arvin commented on the need for Pool and Spa operators who are trained in the proper use of chemicals and how to maintain the Pools and Spas, for public safety. She also told of the support from several Apartment Complex owners concerning the need for Pool and Spa training.

The floor was closed to public comment. On a motion made by Mr. Harbaugh and seconded by Mr. Raver, Ordinance Nos. 2005-BCC-49 and 2005-BCC-50 were taken under advisement for further study, being remanded back to the Department of Health. The Public Hearing will be continued at 9:30 a.m. at the December 5<sup>th</sup> meeting.

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President Raver opened the floor for comments or questions concerning Ordinance No. 2005-BCC-51, Howard County Onsite Sewage Ordinance. This ordinance provides "minimum standards for the prevention and suppression of disease and health risks associated with the use of on-site wastewater disposal systems". The following comments were voiced:

Bruce James, Property Owner: asked if the Ordinance would affect those who have already applied to the Drainage Board for the septic permit, but hasn't yet been received.

Scott Perkins, President of Homebuilders' Association: wants to make sure that there are at least two (2) members of the Homebuilders' Association working with the Board of Health on the revisions to this Ordinance.

Mike Simpson, Property Owner: read a letter written in 2001, concerning septic failure on property located 9235 West 00 North South. At the conclusion of the letter he cited improper inspections as a possible cause of the problem, as well as depending too much on the "set-a-side areas".

Dick Blazer, Property Owner: he was part of the Ordinance drafting process but feels that there was not enough study done on why the old ordinance wasn't working, before drafting a new one.

Bob McKean, Howard County Homebuilders' Septic Committee: has several issues with the new ordinance but appreciates the Commissioners' willingness to work with the public and hopes this indicates a "good faith" effort by the Board of Health to work with the Septic Committee.

There being no further discussion, Mr. Raver closed the floor for public comment. A motion was made by Mr. Harbaugh to take Ordinance No. 2005-BCC-51 under advisement and refer it back to the Board of Health. The Public Hearing will be continued at 9:30 a.m. at the December 5, 2005 meeting.

*The Public Hearing was closed at 11:04 a.m. and the Regular Meeting continued.*

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

Maintenance Supervisor, Tom Harrison, submitted the following issues for Commissioner information and approval:

1. **Kitchen Water Pipe Repair:** Mr. Harrison expressed appreciation to the Sheriff, Art Fross, and those who worked with the Maintenance Department to repair and replace the water pipes in the kitchen of the Criminal Justice Center.
2. **Bid for the Howard Haven and Administration Center Roofing Project:** Mr. Harrison recommends a rejection of the Bid received from McGuff Supply in Muncie (*please refer to page 2, item 4 under "In The Matter Of Maintenance Issues", of the October 17, 2005 Regular Meeting Minutes*). The reasons cited were that it's too late in the year to begin the project and that the bid price was about 70% higher than the engineer's recommendation. Mr. Murrell has spoken to Jim Hamilton of Butler, Fairman and Seufert, concerning Mr. Hamilton's intent to speak with someone from McGuff Supply, as to why there is such a great difference between the engineer recommendation and the bidder's price. No action was taken at this time.
3. **Water Treatment Contracts for County Buildings:** Mr. Harrison submitted contracts from Certified Laboratories, for the Criminal Justice Center, Courthouse, Kinsey Center, Administration Center and Government Center. These contracts are for the year 2006. The total price is \$10,593.00, a 3% increase from 2005. Mr. Harrison recommends that we accept the contracts. On a motion made by Mr. Harbaugh and seconded by Mr. Raver, the water treatment contracts from Certified Laboratories for the five county buildings were approved, and the President was authorized to sign them.

4. **Air Conditioning Unit at the Government Center:** The air conditioning compressors for the Government Center need to be replaced. Mr. Harrison asked permission to use \$3,000.00 of the fund set aside for the HVAC project in the Administration Center, since that project will not be done this year. The Commissioners would rather ask Council for new monies. A motion was made by Mr. Harbaugh to ask for an Additional Appropriation in the amount of \$3,000.00 for the replacement of two compressors in the Government Center. The motion was seconded by Mr. Raver and carried.
5. **New shed in Mulberry/Buckeye Streets Parking Lot:** Mr. Harrison asked for permission to build a new storage unit for the Maintenance Department, in the parking lot located on the corner of Mulberry and Buckeye Streets. He proposes a 10' X 12' wood sided building, using two parking spaces northwest of Jamie's Soda Fountain. Mr. Harrison was asked if the project falls within the bounds of the Zoning Ordinance. A motion was made by Mr. Harbaugh, seconded by Mr. Raver and carried to take this request under advisement and refer back to Mr. Harrison for review until the November 21<sup>st</sup> meeting.

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

Personnel Director, Wanda McKillip, submitted the following issues for Board information and approval:

1. **County Employee Flu Shots:** Flu shots are available on Friday, November 18, 2005, in the Government Center, for County Employees and their household dependants. Mrs. McKillip has prepared a memo for payroll distribution. On a motion made by Mr. Harbaugh and seconded by Mr. Raver, the memo was approved for payroll distribution.
2. **Commissioner Appointments:** Mrs. McKillip submitted a list of Commissioner Appointments that will expire December 31, 2005.
3. **Medicaid Part D letters:** Mrs. McKillip has sent letters to twenty-two county employees over the age of sixty-five, concerning Medicaid Part D, Prescription Coverage. A letter is being prepared for those employees approaching age sixty-five, in the next year.
4. **Insurance Meeting:** There will be an Insurance Meeting on Wednesday, November 9, 2005, to review the Anthem coverage renewal for 2006. Mrs. McKillip will bring a recommendation to the November 21<sup>st</sup> meeting.

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

Information Systems Director, Terry Tribby, submitted the following issues for Board information and approval:

1. **Loss of electrical power over the weekend:** The County's three main facilities lost power, as well as the Criminal Justice Center. The generators took over at the Criminal Justice Center, and E-911 Dispatch Center was able to continue communications.
2. **Homeland Security Wireless Project:** Invoices have been sent to the state for reimbursement in order to meet the November 30, 2005 deadline.
3. **Jury Selection Process:** The State has received data from Voter's Registration, Bureau of Motor Vehicles and tax records and randomized them, removing local level liability in the randomizing process. The field reprogramming has been completed by our Information Systems department and the numbers of jurors for each court has been changed. Also, names have been submitted for Superior Court IV and they are on schedule to have letters sent out by the November 1<sup>st</sup> deadline date.

#### **IN THE MATTER OF COUNTY HOME ISSUES:**

County Home Director, Tom Tolen, presented the following issues for Commissioner information and approval:

1. **Application for Residence:** Mr. Tolen submitted Applications for Residence for Claude McConnell, Ellen Erb, Carol Baumgartner and Anderson Love. The applications have been assessed and recommended by Mr. Tolen. A motion was made by Mr. Harbaugh to accept the Applications for

Residence for Claude McConnell, Ellen Erb, Carol Baumgartner and Anderson Love, with the ninety day probation period, and authorize the President to sign. The motion was seconded by Mr. Raver and carried.

2. **Completed repairs at the County Home:** Mr. Tolen reported on the following repairs or additions:
  - a. New Dishwasher has been installed.
  - b. Septic lagoon has been filled in.
  - c. Leadership Kokomo has installed the five new commodes and new shower heads. On November 19<sup>th</sup>, they will install new bathroom countertops, sinks and cabinets (*please refer to page 5, item 3 under "In The Matter Of Howard Haven Applications" of the Regular Meeting Minutes dated October 3, 2005*).

#### **IN THE MATTER OF SETTING A PUBLIC HEARING FOR VACATION OF EASEMENT:**

Mr. Rex Allen Beckom submitted paperwork requesting to Vacate an Easement located between lots 13 and 14 in Highlawn Addition to West Middleton. It was determined that the paperwork was not presented in proper statutory form. Mr. Beckom was given sample forms and no action will be taken until a Petition to Vacate is properly submitted.

#### **IN THE MATTER OF EMERGENCY MANAGEMENT ISSUES:**

Mr. Larry Smith, director of Emergency Management, presented the following issues for Commissioner information and approval:

1. **State Area Coordinator:** Mr. Smith introduced Mr. Jeff Nix to the Board of Commissioners. He is the State Area Coordinator for the Department of Homeland Security.
2. **Resolution No. 2005-BCC-29:** The National Incident Management System (NIMS) is an effort by the Department of Homeland Security to "establish a standard for emergency response by all responders at the federal, state, tribal and local levels". This action is in response to the emergency situation created by the terrorist bombing incidents on September 11, 2001. In order to receive a Federal grant, the County and City must show they are NIMS compliant by passing a resolution supporting the National Incident Management System. Mr. Murrell has prepared Resolution No. 2005-BCC-29, a resolution adopting the National Incident Management System (NIMS) as the Incident Management System for Howard County. After clarification and discussion, Resolution No. 2005-BCC-29 was approved on a motion made by Mr. Harbaugh and seconded by Mr. Raver. Mr. Smith asked that elected officials contact him to schedule training opportunities.

#### **IN THE MATTER OF CLAIMS AND REPORTS:**

Auditor Ann Wells presented the following issues for Board information and approval:

1. **County Operating Claims:** County Operating Claims, payable November 7, 2005, in the amount of \$300,188.08, were approved on a motion made by Mr. Harbaugh and seconded by Mr. Raver.
2. **Commissioners' Salary Claims:** The Commissioners' Salary Claims for November 10 and 18, 2005, in the amount of \$291,420.90, were approved on a motion made by Mr. Harbaugh and seconded by Mr. Raver.

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

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

1. **Barnes & Thornburg Invoice:** Mr. Murrell submitted an invoice from Barnes and Thornburg in the amount of \$349.00, for services rendered for consultation on Tax Sale issues. Payment of the invoice was approved on a motion made by Mr. Harbaugh and seconded by Mr. Raver.
2. **Crowe Chizek and Company Invoices:** Two invoices from Crowe Chizek and Company LLC were submitted. The first is for services rendered concerning the Chrysler tax abatements, in the amount of

\$3,700.00. The second invoice is for services rendered in connection with the Superior Court IV Excess Levy Appeal, in the amount of \$15,182.14. The invoices were approved for payment on a motion made by Mr. Harbaugh and seconded by Mr. Raver.

3. **Independent Security Contracts for Superior Court III:** Judge Tate, in Superior Court III, hires police officers to work security for the Victim Impact Sessions. These security officers are considered independent contractors and therefore, sign a contract with the county. Mr. Murrell is submitting contracts for Officers Brian Sheets and Rick Miller for Board consideration. A motion was made by Mr. Harbaugh to approve the contracts and authorize President Raver to sign. The motion was seconded by Mr. Raver and carried.
4. **EMT Route Appeal:** Howard Regional and St. Joseph Hospitals have indicated that they might want to appeal the Route Recommendation passed by the Board of Commissioners (*please refer to page 4, "Public Meeting Regarding the Emergency Medical Transport Boundaries" in Regular Meeting Minutes dated October 3, 2005*). They are still in the process of discussions and would like to extend the deadline for appeal from thirty days to ninety days. The original appeal deadline date was November 2, 2005, before the scheduled Commissioner Meeting. As Board representative, Mr. Murrell signed the Tolling Agreement with the hospitals to extend the deadline for Appeal. A motion was made by Mr. Harbaugh to approve and confirm the Tolling Agreement with Howard Regional Hospital and St. Joseph Hospital. The motion was seconded by Mr. Raver and carried.
5. **Ordinance 2005-BCC-60:** Mr. Murrell submitted Ordinance 2005-BCC-60, an Ordinance of the Howard County Board of Commissioners establishing procedures for advance payment of claims, and payment of membership dues and subscriptions. In addition to establishing a procedure for advance payment of claims, this Ordinance adopts as Exhibit A, the list of approved membership dues and subscription fees approved by the County Council in Resolution 2005-HCC-27. The resolution can be amended when needed. On a motion made by Mr. Harbaugh and seconded by Mr. Raver, Ordinance 2005-BCC-60 was approved.

#### **IN THE MATTER OF COMMISSIONER ISSUES:**

1. **Veteran's Service Monthly Report:** The October Veteran's Service Monthly Report was submitted and accepted on a motion made by Mr. Harbaugh and seconded by Mr. Raver.
2. **Weights and Measures Monthly Report:** The October Weights and Measures Monthly Report was submitted and accepted on a motion made by Mr. Harbaugh and seconded by Mr. Raver.

There being no further business to come before the Board at this time, the meeting was adjourned at 12:25 p.m. on a motion made by Mr. Harbaugh and seconded by Mr. Raver.

#### **HOWARD COUNTY COMMISSIONERS:**

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PAUL J. RAVER, PRESIDENT

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BRADLEY J. BAGWELL, VICE PRESIDENT

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JOHN B. HARBAUGH, MEMBER

ATTEST:

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ANN WELLS, AUDITOR

Commissioner Meeting Minutes November 7, 2005