

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING JULY 5, 2006

The Howard County Board of Commissioners met in Regular Session on Wednesday, July 5, 2006, at 8:30 a.m. in Hearing Room No. 338 of the Howard County Administration Center. Those in attendance included Board of Commissioner President Bradley J. Bagwell, Vice President Paul J. Raver and Member John B. Harbaugh. Also in attendance were County Attorney Larry Murrell and Auditor Ann Wells.

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

IN THE MATTER OF APPROVAL OF MINUTES:

The minutes of the June 19, 2006 meeting, having been previously submitted and reviewed, were approved on a motion made by Mr. Raver and seconded by Mr. Harbaugh.

IN THE MATTER OF HIGHWAY DEPARTMENT ISSUES:

In the absence of Supervisor / Engineer Ted Cain, Auditor Ann Wells and Attorney Larry Murrell presented the following issues for Commissioner information and approval:

1. **Approval Of New Streets In Subdivision:** Ms. Wells presented a request for the Approval of Streets in Sycamore Farms, Section One. The streets have been inspected by the Highway Department and met with their approval. A motion was made by Mr. Harbaugh, seconded by Mr. Raver and carried to approve the streets of Sycamore Farms, Section One.
2. **Settlement Agreement For Right-Of-Way:** Mr. Murrell requests the Board to ratify his signature on a Settlement Agreement in the Walsh Farms Lawsuit pertaining to a Right-Of-Way on State Road 35. A motion was made by Mr. Raver to ratify Mr. Murrell's signature in reference to the Settlement Agreement for the Walsh Farms lawsuit in Howard Circuit Court, cause #34C01-0604-PL-00347. The motion was seconded by Mr. Harbaugh and carried.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

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

1. **Current Jail Population:** Criminal Justice population is 317 which is lower than expected of a holiday weekend. What is of special concern to Sheriff Talbert is that 54 of those inmates are women, a record number for Howard County.
2. **Televised Investigative Report:** Mr. Talbert informed the Commissioners that News Channel 13 is airing an investigative report concerning inmate lawsuits. It will air Wednesday evening at 11:00 p.m.
3. **Employee Issues:** Officer Bruce McKellar, Department of Corrections Liaison, has had a kidney and pancreas transplant. He had been on dialysis several times a week. He will be out twelve to twenty-four weeks, creating overtime issues on the jail side. Deputy Robert Walker has tendered his resignation effective the end of July.
4. **Canine Vehicle:** An additional canine vehicle is needed to transport the new canine. There is money in the vehicle line item and specifications have been drafted. Sheriff Talbert would like approval to Invite Quotes. A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to authorize Sheriff Talbert to Invite Quotes for an additional canine vehicle.

IN THE MATTER OF MAINTENANCE ISSUES:

Buildings and Grounds Supervisor Art Fross submitted the following issues for Board information and approval:

1. **HVAC Specifications:** Four contractors have picked up Bid and Specification packages for the Administration Center HVAC Project. Mr. Fross acknowledged ongoing air conditioning problems in the building.

2. **Elevator Repair:** Mr. Fross submitted a proposal from AMCO Elevators for new motor starter contacts for the south elevator in the Administration Center, in the amount of \$1,140.00. Since he has money budgeted to cover the repair, it was the consensus of the Board to proceed with the repairs.
3. **New Mower For Sheriff Department:** A new mower was purchased from McGavic's for the Sheriff's Department for use of the Trustee Work Crew. The mower was purchased with Buildings and Grounds money and Sheriff Talbert will reimburse the Maintenance Department with money from the Misdemeanor Fund.

IN THE MATTER OF PLAN COMMISSION ISSUES:

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

1. **Case 2-CP-06:** One lot in Four Seasons Subdivision located at 4290 South 800 East was approved on a motion made by Mr. Raver and seconded by Mr. Harbaugh.
2. **Revised Demolition Quotes For Myers' Property:** The revised Quote packages have been sent out and the Plan Commission Office is waiting for response (*please refer to page two, item one, "In The Matter Of Plan Commission Issues", of the Regular Meeting minutes dated June 19, 2006*).
3. **Multi Hazard Mitigation Plan:** Mr. Boise has received final revisions of the Plan and is in the process of preparing the final copies.

IN THE MATTER OF CLAIMS AND REPORTS:

Auditor Ann Wells submitted the following issues for Commissioner information and approval:

1. **Commissioner Operating Claims:** Operating claims payable July 5, 2006 in the amount of \$689,780.50 were approved on a motion made by Mr. Harbaugh and seconded by Mr. Raver.
2. **E-911 Additional Appropriation:** An Additional Appropriation request of \$10,000.00 in line item 145-01125.00, Overtime-Dispatcher was approved on a motion made by Mr. Raver and seconded by Mr. Harbaugh.
3. **Ratify President's Signature:** A study is being done concerning load testing and wind testing for a new emergency tower location. President Bagwell signed the Tower Study Agreement, in the amount of \$2,000.00, on behalf of the Board of Commissioners and now seeks ratification by the Board. A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to ratify Mr. Bagwell's signature on the Tower Study Agreement.
4. **Commissioner Salary Claims:** Salary, hourly and overtime claims payable July 7 and 14, 2006, in the amount of \$296,402.05, were approved on a motion made by Mr. Harbaugh and seconded by Mr. Raver.
5. **State Bovine Brucellosis And Tuberculosis Eradication Contracts:** The annual Indiana State Board of Animal Health Contract for Bovine Brucellosis and Tuberculosis Testing was submitted by Ms. Wells, in the amount of \$1,000.00, and authorized on a motion made by Mr. Raver and seconded by Mr. Harbaugh.

IN THE MATTER OF EMA PORTABLE RADIO QUOTES:

Emergency Management Director Larry Smith re-submitted Quotes and Specifications for the purchase of twenty-one portable radios and accessories as follows:

J & K Communications Inc.	\$44,196.00	Software for in-house programming
Motorola, Inc.	\$74,403.00	Includes programming costs

A motion was made to authorize the purchase of twenty-one portable radios from J & K Enterprises Inc., in the amount of \$44,196.00, as the lowest and most responsive quote.

IN THE MATTER OF MONTHLY AND ANNUAL REPORTS:

1. **Monthly Weights & Measures Report:** The Weights & Measures Report for the month of May 15 to June 15, 2006 was submitted and accepted on a motion made by Mr. Raver and seconded by Mr. Harbaugh.
2. **Weights & Measures Annual Report:** The annual Weights & Measures Report for the year June 16, 2005 to June 15, 2006 was submitted and accepted on a motion made by Mr. Harbaugh and seconded by Mr. Raver.
3. **Veteran Service Officer's Report:** On a motion made by Mr. Raver and seconded by Mr. Harbaugh, the Veteran Service Officer's Report for the month of May, 2006, was accepted.

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

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

1. **Exacutrak Service Agreement:** This is the final draft of the Service Agreement between BI Inc. and Howard County for tracking equipment for the In-Home Detention Program (Community Corrections). This agreement is recommended for approval from Mr. Maus and Mr. Murrell. A motion was made by Mr. Harbaugh, seconded by Mr. Raver and carried to approve the Exacutrak Service Agreement and authorize the President to sign on behalf of the Board of Commissioners.
2. **American Consulting Proposed Contract:** Mr. Murrell has reviewed this proposed contract with American Consulting for their study on jail remediation projects, and proposes three changes. He recommends that the Board approve the contract with the changes, in the amount of \$16,500.00, and authorize the President to sign on behalf of the Board when the final draft is available. A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to approve the jail study contract with American Consulting, as amended, and authorize the President to sign the contract on behalf of the Board.
3. **Bowyers Brothers Reclamation Bond:** At the May 15, 2006 Regular Meeting, Bowyer Brothers had asked to substitute a Certificate of Deposit or Letter of Credit in lieu of a Rehabilitation Bond with regard to a case pending before the Howard County Board of Zoning Appeals. The consensus of the Board was to direct Mr. Murrell to rewrite the agreement to provide for the Certificate of Deposit with the interest accrued to go to the County (*please refer to page two, item six of the Regular Meeting Minutes dated May 15, 2006*). Bowyer Brothers responded to the Board through Attorney Mark McCann that they would agree to the Certificate of Deposit but wanted to keep the interest. On a motion made by Mr. Harbaugh and seconded by Mr. Raver, Mr. Murrell was authorized to proceed with the *original proposal* to Bowyer Brothers with the Certificate of Deposit to be in the name of the County Commissioners.
4. **Grant Close-out on the Taylor Regional Sewer District:** This close-out report shows that all procedures are in order and all funds expended were applied to the project. \$23,900.00 is available to be re-obligated which means that the project came in under the estimate. A motion was made by Mr. Harbaugh to approve the close-out of the Taylor Regional Sewer District Grant and to authorize the President to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Raver and approved.
5. **Planning Funding Agreement:** At the June 19, 2006 meeting the Board of Commissioners moved to accept the agreement between Howard County and Nextel Operations concerning the Re-banding Project (*please refer to page seven, item four of the Regular Meeting minutes dated June 19, 2006*). Mr. Murrell now submits the final draft for approval. A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to approve the final draft of the Planning Funding Agreement and authorize President Bagwell to sign on behalf of the Board of Commissioners.

6. **Indiana Municipal Lawyers Association National Conference:** Mr. Murrell thanked the Board for allowing him to attend the Indiana Municipal Lawyers Association National Conference, last week. There was much timely and helpful information.

There being no further business to come before the Board at this time, the meeting was adjourned at 9:40 a.m. on a motion made by Mr. Raver and seconded by Mr. Harbaugh.

HOWARD COUNTY BOARD OF COMMISSIONERS:

BRADLEY J. BAGWELL, PRESIDENT

PAUL J. RAVEN, VICE PRESIDENT

JOHN B. HARBAUGH, MEMBER

ATTEST:

ANN WELLS, AUDITOR

Commissioner Meeting Minutes July 5, 2006