

## **HOWARD COUNTY BOARD OF COMMISSIONERS MEETING SEPTEMBER 5, 2006**

The Howard County Board of Commissioners met in Regular Session on Tuesday, September 5, 2006, 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 Regular Meeting dated August 21, 2006, 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:**

Highway Engineer/Supervisor Ted Cain submitted copies of Final Bridge Inspection Proposals from Butler Fairman & Seufert; Farrar, Garvey & Associates, LLC; and DLZ Design. Those proposals do not include pricing at this time. Mr. Cain has worked with Butler Fairman & Seufert and recommends accepting their proposal. A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to accept the proposal with Butler Fairman & Seufert for 2,000 bridge inspections during the years 2006 - 2008. The pricing will be agreed upon in a contract which must be approved by this Board.

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

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

1. **Jail Population:** The current jail population is 350, which includes 49 female inmates. Being the holiday weekend, there were several DUI arrests made and people coming in on warrants issued.
2. **New Canine:** Sheriff Talbert introduced Officer Mike Ogle, the handler for the new canine. Officer Ogle introduced "Kanto" to the Board of Commissioners and issued several commands for the dog to respond to. Three-year-old Kanto is from the Netherlands and has been in the United States for three weeks. Officer Ogle will begin training on September 11<sup>th</sup>, with Vohne Liche Kennels and the Sheriff's Department has seen a demonstration of Kanto's drug sniffing abilities. Kanto will work the midnight shift. Sheriff Talbert reminded the Board that funds for Kanto were supplied by the Prosecutor's Office and by a donation made by the Community Based Drug Free Fund. The truck used to transport Kanto was delivered on Friday.
3. **New Vehicle Lease For Drug Task Force:** Officer Matt Roberson is the Sheriff's Department representative to the Drug Task Force. Typically he has been provided a used vehicle in a lease agreement from Button Motors Dodge, and Mr. Pete Kelly came to the podium to inform the Board about a new agreement with Chrysler. Mr. Kelly has worked with Chrysler Business Financial and they have agreed to a twenty seven month lease on a new four wheel drive, which includes a two year maintenance agreement. There is an exception for the loss of grant money, in the agreement, to take the vehicle back. At the conclusion of ensuing discussion, a motion was made by Mr. Harbaugh, seconded by Mr. Raver and carried to approve the new vehicle lease with Chrysler Business Financial for a period of twenty seven months, subject to review by County Attorney Murrell.
4. **Former SWAT Vehicle:** The old SWAT vehicle has been stripped of department equipment and Sheriff Talbert would like to donate it to another Sheriff's Department. On a motion made by Mr. Raver and seconded by Mr. Harbaugh it was approved to dispose the vehicle through donation to another Sheriff's Department, as is.

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

Buildings & Grounds Superintendent Art Fross presented the following issues for Board information and approval:

1. **Service Agreement with Trane:** Mr. Fross submitted one of the two proposed Service Agreements with Trane for the Courthouse HVAC System (*please refer to page three, item two, "In The Matter Of Maintenance Issues", of the Regular Meeting Minutes dated August 7, 2006*). This agreement reflects the changes specified by the County's Attorney. The other agreement still needs revision. On a motion made by Mr. Raver and seconded by Mr. Harbaugh, the \$3,900.00 per year Service Agreement with Trane was approved.
2. **HVAC Project Boiler System:** As a part of the HVAC Project, one boiler has been removed and cleaned with the second boiler scheduled for removal. The new boilers will be arriving in another week. Presently we are ahead of schedule.
3. **County Home Sewer Line:** Mike's Sewer Service has been to Howard Haven to clean the lines and give an estimate on costs involved in digging up the three sewer lines going back to the building from the lift station.
4. **Concrete And Fencing For Proposed Tower Location:** Mr. Fross is in the process of obtaining concrete and fencing information for the proposed new tower location.
5. **New Phone Lines For The Courthouse System:** Mr. Mark Zanoft and Mr. John Widau of A T & T (formerly SBC) are in the process of assessing the Courthouse communication needs (*please refer to page two, item one, "In The Matter Of Maintenance Department Issues", of the Regular Meeting minutes dated August 21, 2006*).

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

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

1. **E-911 Mobile Connectivity:** The current program for mobile connectivity is Cerulean, using a radio system. Mr. Tribby would like to move away from that program, to CDMA, a cellular card that goes into the laptop computer to allow wireless internet connectivity. Verizon has a special program for emergency services to meet our sixty-two account need. Verizon would agree to bill annually in the amount of \$38,762.40, from E-911 funds. Beginning January 1, 2007, the County will re-bill the City for connectivity to their vehicle computers. Officer Jerry Asher spoke to the benefits of the CDMA system. Sheriff Talbert confirmed that the Verizon CDMA would be compatible with the State's CDMA system. E-911 Coordinator Tony Ramsey submitted a Request For Transfer for \$60,000.00 into the Communications account. A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to approve the transfer of \$60,000.00 from line item 03564.00 to 03216.00.
2. **Emergency Dispatch Time/Sync System:** Mr. Tribby asked E-911 Coordinator Tony Ramsey to address this situation. Mr. Ramsey explained that there are three different recording times with every emergency call that comes in; when the call is first made to dispatch, when the call is typed into the CAD system (Computer Assisted Dispatch), and a time when it's recorded. For court records, these times have to be synchronized. Various software systems have been used but not successfully. The new E-911 system purchased and maintained by AT&T, cannot use any software outside of AT&T. AT&T does have a product called Netclock Time Synchronization System and MaGic/NICE Interface that will synchronize all three recording times and work with the existing recording system. The program can be added to the present lease as a single payment option, in the amount of \$38,350.00; this cost includes maintenance. Mr. Murrell outlined changes to be made to the agreement if going with the single payment option. A motion was made by Mr. Harbaugh, seconded by Mr. Raver and carried to approve the purchase of Netclock Time Synchronization System software for the E-911 Dispatch system with language in the agreement to reflect the one time purchase price of \$38,350.00, and authorize the President to sign on behalf of the Board of Commissioners.

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

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

1. **Case 6-CP-06:** One lot in Hippie Haven Subdivision located at 11104 West 200 South was approved on a motion made by Mr. Raver and seconded by Mr. Harbaugh.
2. **Demolition of Myers' Property:** Excavation of the property located at 3904 South 350 West is progressing well and is in the clean up stage. Mr. Boise submitted pictures of that property as well as the 500 Ridge Road property.
3. **Ridge Road Basketball Court:** The basketball court on the 500 Ridge Road property has been demolished (*please refer to page two, item eight, "In The Matter Of Plan Commission Issues", of the Regular Meeting minutes dated August 7, 2006*).
4. **Unsafe Building at 1001 East Alto Road:** That property has several unsafe issues from the overgrown lawn to the open boats collecting water. That location has also had reports of drug and vagrant activity. The Township Trustee has been informed and correspondence has been sent from the Plan Commission office. The Sheriff's Department has been out twice to board up the windows. Discussion ensued concerning money in the 2007 budget for future excavation.
5. **Multi-Hazard Mitigation Plan:** Russiaville and Kokomo have approved the Multi-Hazard Mitigation Plan. Greentown meets this evening for approval. When that process is complete it will come before the Board of Commissioners for their approval.

#### **IN THE MATTER OF ORDINANCE NO. 2006-BCC-23:**

Department of Health Director Kristine Conyers, Department of Health employees Sue Norris and James Vest were in attendance to address Ordinance No. 2006-BCC-23, Howard County Onsite Sewage Ordinance. Board of Commissioner President Bagwell and Vice President Raver reported on the discussion topics of the Special Called Meeting dated August 14, 2006, and the resulting final draft of the Onsite Sewage Ordinance. Revisions were made in sections 4A7, 4B4, 4C4, 5E & F, 11D & E. Case specific questions were discussed and Ordinance No. 2006-BCC-23 was approved on a motion made by Mr. Raver and seconded by Mr. Harbaugh.

#### **IN THE MATTER OF SETTING A PUBLIC HEARING FOR THE MS-4 ORDINANCE:**

First Deputy Surveyor Greg Lake submitted the final draft of the MS-4 Ordinance and asks to set a date for a Public Hearing to consider Ordinance 2006-BCC-36. The Ordinance has to be in place by December, 2006 and some changes will need to be made in the fee schedule. A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to set a Public Hearing to consider Ordinance 2006-BCC-36 for 7:00 p.m. on Monday, September 25, 2006.

#### **IN THE MATTER OF NEW GRANTS PROPOSED BY THE MAYOR'S COMMUNITY BASED COUNCIL:**

Mr. Don Ridenour submitted copies of the Mayor's Council on Substance Abuse Comprehensive Community Plan for 2006/2007. He then explained the two new 2006 grants approved by the LCC for Commissioners' approval as outlined below:

- 1) **Family Service Association Domestic Violence Program:** \$3,025.00 for on-site drug testing and off-site counseling for substance abuse concerns of Domestic Violence Victims (Mr. Ridenour assured the Board of Commissioners that, being the Executive Director of the Family Service Association and the Facilitator of the Local Coordinating Council, he abstained from the presentation or approval of the project).
- 2) **Howard County Sheriff's Department:** \$3,200.00 toward the purchase of an additional Narcotics Detection Dog.

Attorney Murrell reminded the Commissioners that the Council approved the total budget for the Mayor's Community Based Drug Free Fund, but that individual grants that were approved during the course of the budget year, not specified by the budget, could be presented to and approved by the Board of Commissioners. On a motion made by Mr. Raver and seconded by Mr. Harbaugh, the grants were approved as listed above.

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

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

1. **Commissioners' Salary Claims:** Salary, hourly and overtime claims dated September 8 and 15, 2006, in the amount of \$296,420.05, were approved on a motion made by Mr. Raver and seconded by Mr. Harbaugh.
2. **Commissioners' Operating Claims:** Operating claims payable September 5, 2006, in the amount of \$530,271.86, were approved on a motion made by Mr. Raver and seconded by Mr. Harbaugh.
3. **Rainy Day Loan Agreement:** Ms. Wells submitted the Loan Agreement paperwork (including the Promissory Note) to the Board for their signatures. The Rainy Day Loan Agreement was approved on a motion made by Mr. Harbaugh and seconded by Mr. Raver. Second Deputy Auditor Julie Willis notarized the paperwork.

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

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

1. **Barnes & Thornburg Invoice:** An invoice from Barnes & Thornburg, in the amount of \$2,603.00 for legal services rendered for Delphi Bankruptcy Matters, was approved on a motion made by Mr. Harbaugh and seconded by Mr. Raver.
2. **Grant Funding Opportunity For Enhancing Court Security:** Circuit Court Judge Lynn Murray appeared before the County Council with information concerning a grant funding opportunity for enhancing court security from the Indiana Department of Homeland Security (*please refer to page four, "In The Matter Of Circuit Court And IDHS Grant", of the Regular Council Meeting minutes dated August 22, 2006*). This grant funding opportunity was also addressed by Sheriff Talbert at the August 21<sup>st</sup> Commissioner Meeting (*please refer to page one, item one, "In The Matter Of Sheriff Issues" of the Regular Commissioner Meeting minutes dated August 21, 2006*). The County Council gave approval for Judge Murray to proceed with the grant application. On a motion made by Mr. Harbaugh and seconded by Mr. Raver the Board of Commissioners authorized President Bagwell to approve the Indiana Department of Homeland Security Grant Funding Opportunity for Enhancing Court Security, arranged through the Division of State Court Administration, and to sign all documents necessary to secure the grant and purchase the security equipment.
3. **First Amendment To Planning Funding Agreement:** This is the first amendment to the funding agreement with Nextel Operations, Inc. that extends the estimated date of completion for INTERMOD and TNRD Analysis from August 15, 2006 to October 5, 2006. A motion was made by Mr. Raver, seconded by Mr. Harbaugh and carried to approve the First Amendment to Planning Funding Agreement and to authorize the President to sign on behalf of the Board of Commissioners.
4. **Invoices From Keller & Heckman:** Mr. Murrell submitted two invoices from Keller & Heckman for legal work regarding the Nextel Rebanding Project. The two invoices, \$2,050.00 and \$624.00 will bring us current with Keller & Heckman and Mr. Murrell now submits a letter to the President of Nextel, authorizing Nextel to pay the Keller & Heckman invoices. Those invoices and the letter to Nextel were approved on a motion made by Mr. Raver and seconded by Mr. Harbaugh.

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

1. **Letter Received From Emergency Management:** The Commissioners were informed of training necessary to become NIMS compliant. The Board members can contact Larry Smith, individually, for the on-line training information.

There being no further business to come before the Board of Commissioners at this time, the meeting was adjourned at 10:42 a.m. on a motion made by Mr. Harbaugh and seconded by Mr. Raver.

**HOWARD COUNTY BOARD OF COMMISSIONERS:**

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BRADLEY J. BAGWELL, PRESIDENT

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PAUL J. RAVEN, VICE PRESIDENT

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JOHN B. HARBAUGH, MEMBER

ATTEST:

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ANN WELLS, AUDITOR

Commissioner Meeting minutes September 5, 2006