

## **HOWARD COUNTY BOARD OF COMMISSIONERS MEETING FEBRUARY 19, 2007**

The Howard County Board of Commissioners met in Regular Session on Monday, February 19, 2007, 2006, 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, Vice President Bradley J. Bagwell and Member David A. Trine. Also in attendance were Assistant County Attorney Brian Oaks and Auditor Ann Wells.

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

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

The minutes of the February 5, 2007 meeting, having been previously submitted and reviewed, were approved on a motion made by Mr. Trine and seconded by Mr. Bagwell.

### **IN THE MATTER OF THE SNOW EMERGENCY:**

Mr. Raver commended the excellent work of the County Highway Department in clearing the county roads during the heavy snowstorm that commenced on February 13, 2007. Mr. Raver reported that the Commissioners were available and collectively made procedural decisions after consulting with the Highway Superintendent, Sheriff's Department, and Emergency Management Agency. Mr. Raver expressed appreciation to Mr. Bagwell for channeling essential communication; County Attorney Larry Murrell for his availability to write the necessary legal terminology; and Auditor Ann Wells' assistance.

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

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

1. **Snow Removal:** Mr. Cain commended his employees who were exceptionally busy this week clearing snow from county roads. Mr. Cain described the work as arduous and tiring. He was pleased to report there was little equipment failure during the work. He expressed appreciation for everyone who helped his employees during this major task. Mr. Cain anticipates the comments and concerns that typically follow a major snow removal.
2. **Ohio Street Bridge Inspection:** Mr. Cain advised that an inspection agreement is needed during construction for the replacement of the Ohio Street Bridge (B-501). Proposals were received from Farrar, Garvey & Associates and Butler, Fairman & Seufert. The cost of the bridge inspection is based on a percentage of the construction costs. Mr. Cain commented that Butler, Fairman & Seufert is most familiar with the project because they performed the design work and their overhead rate is lower than most. Mr. Cain recommended Butler, Fairman & Seufert for the bridge inspection.

Mr. Trine made a motion to award the Ohio Street Bridge inspection to Butler, Fairman & Seufert. Mr. Bagwell seconded the motion, and it carried.

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

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

1. **Appreciate 4-Wheel Drive Vehicles:** Sheriff Talbert thanked the Commissioners for having the insight to allow a number of four-wheel drive vehicles in their fleet. These vehicles were "pooled" through the work shifts during the snow storm, which prevented the need for borrowing or leasing extra equipment.
2. **Appreciate Snow Removal:** The Sheriff appreciated the County Maintenance employees' and the Sheriff's Inmate Work Crew's perseverance in shoveling snow at the jail. The Sheriff's Department rewarded the Inmate Work Crew by allowing them lunch outside of the jail.
3. **Painting Project:** The Sheriff's Inmate Work Crew is painting the interior of the jail, which is a savings to the County.

4. **Seminar Cancellation:** The DLZ Jail Seminar was cancelled due to the weather. The Sheriff will notify the Commissioners when the seminar is rescheduled.
5. **Prisoner Transport Van:** The following Quotes were received for the purchase of a prisoner transport van. Sheriff Talbert said the vehicle will be purchased out of the Misdemeanant Grant Fund, which will not affect the County General Fund or the line item for the purchase of automobiles.

Conkle Pontiac/GMC	\$ 21,186.55
Eriks Chevrolet	\$ 19,500.00
Dan Young GM Center	\$ 19,000.00

Mr. Bagwell made a motion to accept the quote for a 3/4-ton prisoner transport van from Dan Young GM Center as being the lowest and most responsive quote of \$19,000.00 to be paid out of the Misdemeanant Grant Fund. Seconded by Mr. Trine, the motion carried.

6. **Purchase New Patrol Cars:** There are four patrol cars that have high mileage and two vehicles from the current fleet that will be assigned to new recruits. The Sheriff requested permission to obtain bids to purchase six new patrol cars. Sheriff Talbert commented that ordering the vehicles before May 1, 2007, would avoid the 2008 price increase. With trade-ins, the cost is anticipated to be between \$115,000.00 and \$120,000.00. The Road Deputies prefer the Ford Crown Victoria with the V-8 engine rather than the smaller V-6 models.

Mr. Bagwell made a motion to authorize the Sheriff to advertise for bids for six new patrol cars as requested. Seconded by Mr. Trine, the motion carried.

7. **No Snow Days:** When County employees had snow days last week; Sheriff Department employees did not receive any. Sheriff Talbert commended the employees and nurses who worked through the inclement weather. He commented, *"I am not saying that we are special, but we are different and that is just the nature of the jobs that they signed up for"*.

*\* \* \* The Commissioners extended a warm welcome to Assistant County Attorney Brian Oaks. \* \* \**

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

Plan Commission Director Glen Boise did not have any new information to present on Unsafe Buildings or Flood Mitigation Issues. He reported that the Plan Commission has a number of new cases to be considered at their meeting this evening.

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

Buildings and Grounds Superintendent Art Fross presented the following issues for Commissioner Information and approval:

1. **Simplex Grinnell Service Contract Renewal:** *(please refer to page two, item three, "In the Matter of Maintenance Department Issues" of the Regular Meeting minutes dated February 5, 2007).* This renewal agreement covers the annual inspections of the fire alarm systems, sound/intercom, cameras, kitchen hood, and sprinkler system for the Criminal Justice Center. The contract begins on January 1, 2007 and ends on December 31, 2007, in the amount of \$25,608.00.

Mr. Bagwell made a motion to approve the inspection renewal with Simplex Grinnell for one year in the amount of \$25,608.00 and authorize the President to sign on behalf of the Board. Seconded by Mr. Trine, the motion carried.

3. **Breaker Problem:** The Maintenance Department has been working on separating the power poles in the Recorder's Office to resolve breaker problems. The project is estimated to cost between \$400.00

and \$500.00. Eventually, Mr. Fross would like to separate the computer receptacles from the power poles.

4. **Courthouse Security Equipment:** Mr. Fross advised there is a dissimilarity of twenty inches of dimensions for the opening for the new Courthouse security system. When the equipment arrives it will be necessary to place it in the rotunda until adjustments can be made for the installation. Mr. Raver suggested that the Criminal Justice Committee could discuss the issue at their next meeting scheduled for February 27, 2007. Mr. Bagwell suggested that finding a floor plan with similar scaled dimensions would be helpful.
5. **Employee Update:** Approximately two weeks ago a part-time employee was diagnosed with a mild heart attack. Mr. Fross said the employee will be absent at least 30 to 45 days and is not sure whether the employee will be able to return to work. The other part-time employee is doing a good job filling in.
6. **Acclamation:** Mr. Fross praised the maintenance employees for the excellent work regarding snow removal. The Commissioners also voiced their appreciation.

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

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

1. **Commissioner Appointment:** Mr. Bruce Jordan resigned from the Howard County Community Corrections Advisory Board. Ms. Ann Freeman is the new Director of the Kokomo Academy. Mr. Bagwell made a motion to appoint the Director of the Kokomo Academy to serve on the Howard County Community Corrections Advisory Board for the remainder of the term ending on September 30, 2009. Mr. Trine seconded the motion, and it carried.
2. **PAC Committee Recommendation:** The Kinsey Youth Center requested salary increases for a total figure of \$58,693.00 for the following administrative staff:

Director	Program Directors
Assistant Director	Caseworkers

The PAC Committee does not recommend additional salary increases for the above positions. The current budget already has a commitment for salaries based on last year's 3 % increase. The PAC recommended the request be submitted this year at budget time when the salaries will be reviewed again.

Director Jan Weaver said that according to State Statue, the administrative staff of the Kinsey Youth Center has specific educational and experiential requirements for their positions. In the past their salaries were at the level of probation officers in accordance with the State Probation Officers Salary schedule. As the probation officers continued to receive mandated salary increases, the lack of raises for County employees caused the Kinsey Youth administrative salaries to fall behind. Ms. Weaver suggested that increasing the per diem and secure detention by only \$10.00 per day, could more than cover the amount needed for the salary increases.

Because of the economic adversity of the past few years, Ms. McKillip said the payroll has been a challenge for the County. She would love to have enough money available to give all County employees the pay that they deserve.

Mr. Bagwell made a motion to accept the PAC Committee recommendations and forward the request to the County Council for their consideration. Mr. Trine seconded the motion, and it carried.

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

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

1. **Law Enforcement Conference:** Mr. Tribby presented an overview of a law enforcement conference that he attended last weekend with CISCO. Representatives from Howard County law enforcement, including administration, dispatch, and jail side, were also in attendance. The topic of discussion was the major change that Microsoft will be making to their law enforcement software. Microsoft representatives were seeking feedback from the counties that they support. Microsoft proposes to support the older software until their customers switch over to the new software. Currently Howard County uses an older program and database to program software. Mr. Tribby further commented that this application is critical because it is used for law enforcement. Active programmers and the products that support these applications are becoming more difficult to find. Mr. Tribby said upgrading with the new Microsoft software would give the County an opportunity to explore other new products without a significant investment.
2. **Change in Tax Software:** Mr. Tribby advised that the DLGF is proposing a unified mandatory system that will require much more information on the property tax statements. The deadline date is December 2008.
3. **Dial Up Technical Support:** Mr. Tribby advised that Information Systems Department has the capability to provide technical support for the county through a dial up connection. He informed the Commissioners that they are now available 24-hours a day, seven days a week.

### **IN THE MATTER OF HOWARD HAVEN RESIDENTIAL CENTER ISSUES:**

Howard Haven Director Thomas Tolen presented the following issues for Commissioner Information and approval:

1. **Accolade:** Mr. Tolen expressed appreciation for all the help received last week to keep the facility open during the snow storm. A special thanks went out to Mr. Art Fross and the maintenance employees for clearing the snow from the drive and sidewalks.
2. **Application for Admission:** Mr. Bagwell made a motion to accept an application from Patricia Russell for admission to Howard Haven Residential Center for a ninety-day probationary period. Seconded by Mr. Trine, the motion carried.
3. **Painting Project:** Volunteers are painting the interior walls of the building. The Sheriff's Inmate Work Crew is scheduled to arrive this week to paint the ceilings.

### **IN THE MATTER OF KINSEY YOUTH CENTER ISSUES:**

Kinsey Youth Center Director Jan Weaver presented the following issues for Commissioner Information and approval:

1. **Staff Appreciation:** Ms. Weaver commended her staff for getting to work during the snow storm. There were only two or three employees who were unable to get into work.
2. **New Intern:** Ms. Weaver introduced Staci Sexton, a Bachelor of Social Work intern from Indiana Wesleyan University. She said Ms. Sexton is doing a great job working on the residential program.
3. **Service Contracts:** At the last meeting the Commissioners requested Ms. Weaver to check into the possibility of combining Kinsey Youth Center repair/service contracts under one contract. *(please refer to page six, item two, "In the Matter of Kinsey Youth Center Issues" of the Regular Meeting minutes dated February 5, 2007).*
  - a. **Radio Repair:** Ms. Weaver contacted Integrity Communications about the possibility of combining radio coverage with the Sheriff's Department. In lieu of a service agreement with the County, Integrity Communications provides service based on a negotiated rate of \$55.00

per hour plus parts with a four to five day turn around. The average cost to repair the Sheriff's radios is \$80.00 per service call. Kinsey Youth Center's current Mobile Radio service agreement for \$170.00 would cover the cost of two radio repairs per month. Based on these figures, Ms. Weaver concluded that Integrity Communications' hourly rate would not be as cost effective as the monthly fee paid to Mobile Radio.

- b. **Generator Repair:** The jail generator goes to load twice per year. Kinsey Youth Center's service contract with Buckeye Power provides service and brings their generator to load twice per year.
- c. **Trash Removal:** Waste Management changed their service to a two year agreement to expire the same date as the Jail's contract. At that time it would be possible to combine Kinsey Youth Center's trash removal agreement with the Jail.

Mr. Bagwell made a motion to approve the contract between Kinsey Youth Center and Waste Management to coincide with the termination date of their contract with the Jail and authorize the President to sign on behalf of the Board. Mr. Trine seconded the motion and it carried.

#### 4. **Equipment Repair Issues:**

**Heat Pumps:** Kinsey Youth Center Assistant Director Jeff Lipinski talked about on-going problems with the heat pump compressors at the facility. There are four compressors and one of them is out of commission. The cost to rebuild each compressor is \$400.00 compared to \$600.00 to \$800.00 to purchase a new one.

**Hot Water Mixers:** The two hot water mixers in Secure Detention are at least fourteen years old and can no longer be adjusted. It would cost \$400.00 each to purchase rebuild kits but only \$490.00 each to replace them.

Mr. Bagwell made a motion to request a total of \$4,500.00 out of the Cumulative Capital Development Fund at the next council meeting in March 2007 to purchase the new equipment for the Kinsey Youth Center as requested. Mr. Trine seconded the motion, and it carried.

Mr. Bagwell made a motion to declare an emergency situation and authorize the Kinsey Youth Center to purchase one of the heat pumps to immediately replace the one that is not working. Mr. Trine seconded the motion, and it carried.

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

- 1. **Commissioners' Salary Claims:** Salary, hourly and overtime claims payable February 23, and March 2, 2007, in the amount of \$313,019.77 each were approved on a motion made by Mr. Trine and seconded by Mr. Bagwell.
- 2. **Commissioner Operating Claims:** Operating Claims payable February 19, 2007 in the amount of \$372,410.96 were approved on a motion made by Mr. Trine and seconded by Mr. Bagwell.
- 3. **Barnes & Thornberg Invoice:** An invoice from Barnes & Thornburg was submitted, for services rendered in connection with Delphi bankruptcy matters, in the amount of \$5,057.93. On a motion made by Mr. Bagwell and seconded by Mr. Trine, the invoice from Barnes & Thornburg in the amount of \$5,057.93 was approved for payment.
- 4. **Treasurer's Monthly Report:** The Treasurer's Monthly Report for the month ending January 31, 2007 was submitted and accepted on a motion made by Mr. Bagwell and seconded by Mr. Trine.
- 5. **Clerk of the Circuit Court Monthly Report:** The Clerk of the Circuit Court Monthly Report for the month ending January 31, 2007 was submitted and accepted on a motion made by Mr. Bagwell and seconded by Mr. Trine.

6. **Quarterly Street Light Claim:** A claim was submitted from the City Controller for lighting around the Courthouse for the fourth quarter of 2006 in the amount of \$626.40. Mr. Bagwell made a motion to delay payment of the claim until a formal interlocal agreement is established between the City and County to define payment of the lights around the courthouse.
7. **EDIT Claims for Economic Development Organizations:** *(please refer to page seven, item three, "In the Matter of Claims and Reports" of the Regular Meeting minutes dated February 5, 2007).* Mr. Bagwell made an amendment to his motion from the February 5, 2007 meeting to authorize the quarterly payments to the Economic Development Organizations to be made in the first month of each quarter. Seconded by Mr. Trine, the motion carried.
8. **Ceramic Heaters Claim:** A claim was submitted by Recorder's Office for the purchase of ceramic heaters and the mileage used to purchase them. During the discussion, the Commissioners justified the purchase due to a heating problem in the office.

Mr. Bagwell made a motion to approve payment of the claim for the purchase of these ceramic heaters out of the Cumulative Capital Development Fund, making them County property to be used at the discretion of the Maintenance Department as situations arise. Mr. Trine seconded the motion, which carried.

Next, a motion was made by Mr. Bagwell, seconded by Mr. Trine and carried, to deny the claim for mileage to purchase the ceramic heaters.

*(Claims and Reports Items are continued on page seven)*

**10:00 a.m.**

**Scheduled Discussion**

**Taylor and Darrough Chapel Sewer Districts**

**IN THE MATTER OF THE TAYLOR AND DARROUGH CHAPEL SEWER DISTRICT:**

The following representatives were present to discuss an update concerning the on-going septic problems affecting the Darrough Chapel Subdivision:

Mr. John Caton, Engineer	Fleis & Vandenbrink Engineering, Inc.
Mr. Russell Adair, President	Taylor Regional Sewer District Board
Ms. Kris Conyers, Director	Howard County Health Department
Ms. Michelle Gilbert, Environmental Health Specialist	Howard County Health Department
Mr. Glen Boise, Director	Howard County Plan Commission

For the record, Mr. Bagwell advised that the Taylor Regional Sewer Board meeting scheduled for February 13, 2006 was cancelled due to the weather.

Both sewer districts have been struggling with their own issues...Darrough Chapel with their failed septic systems and Taylor Township's obstacles to overcome the startup of the sewage operation. Mr. Caton said the residents would face unit user costs of \$400,000.00. He said there are a very small number of households that are impacted by very expensive construction costs that continue to increase. Fleis & Vandenbrink Engineering has been exploring various options and, grants; they met with City Officials to try to reduce the construction costs.

Mr. Adair talked about on-going problems of Taylor Township customers failing to pay their sewer bills. Since the operation began in 2004, twenty-one percent of them have never paid. Liens have been placed on some of those properties. The Taylor Sewer District still owes \$5.5 million and the work has not been completed yet. Mr. Adair thinks the residents of Darrough Chapel probably will not be able to afford the \$100.00 per month needed for sewer service.

Ms. Conyers said the Health Department has not discovered any problems with the drinking water other than the odor. She said consideration should be made about the impact that the future bypass will have on the area. Ms.

Gilbert advised there are several residents who are in need of immediate assistance. Some residents have to pay for pumping and hauling every month.

There are no answers yet to resolve the sewage problems in Darrough Chapel Subdivision. Mr. Adair recommended that the City and County meet to try to work out an agreement for the installation of sanitary sewers. Mr. Raver said he would be happy to meet with the City Engineer to discuss the issue. Mr. Caton recommended keeping the Commissioners informed, bring the project into 2008 terms, and continue trying to crunch the figures.

The Commissioners took the issue under advisement by consensus.

**RESUME CLAIMS AND REPORTS – (Continued from page six):**

1. The County has started receiving monthly checks from Vonage through the Indiana Association of Counties for their contribution to the Wireless 911 Program.
2. The Commissioners executed their signature on two titles for the transfer of vehicles that the Sheriff's Department has sold.

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

Assistant County Attorney Brian Oaks was present to fill in while County Attorney Larry Murrell was out of town.

The Commissioners acknowledged a copy of a letter written by Barnes & Thornberg with reference to the possibility of refinancing the loan for the Johanning Civic Center. *(please refer to page five, "In the Matter of The Johanning Civic Center Mortgage", of the regular meeting minutes dated February 5, 2007).*

**IN THE MATTER OF COMMISSIONER ISSUES:**

**Announcements:**

- Advanced Life Support Ambulance meeting was canceled due to the snow storm. The meeting was rescheduled on February 26, 2007 at 11:00 a.m. in the Sheriff's Conference Room.
- The Soil and Water Conservation District rescheduled their meeting for February 21, 2007 at 9:00 a.m. Jackson Morrow Park.
- The Commissioners received an invitation to lunch with Northwestern Elementary students.

There being no further business to come before the Board of Commissioners at this time, the meeting was adjourned at 11:00 a.m. by a motion made by Mr. Bagwell and seconded by Mr. Trine.

**HOWARD COUNTY BOARD OF COMMISSIONERS:**

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PAUL J. RAVEN, PRESIDENT

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BRADLEY J. BAGWELL, VICE PRESIDENT

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DAVID A. TRINE, MEMBER

ATTEST:

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ANN WELLS, AUDITOR

Howard County Commissioner Meeting February 19, 2007