

## **HOWARD COUNTY BOARD OF COMMISSIONERS MEETING MARCH 5, 2007**

The Howard County Board of Commissioners met in Regular Session on Monday, March 5, 2007, 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 County Attorney Larry Murrell and Auditor Ann Wells.

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

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

The minutes of the February 19, 2007 meeting, having been previously submitted and reviewed, were approved on a motion made by Mr. Bagwell and seconded by Mr. Trine.

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

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

1. **Permission For Drain in Highway Right-Of-Way:** Mr. Cain submitted a request from Drainage Contractor, Bryan Kirkpatrick, on behalf of property owners Michael and Tammy Goodspeed, for placement of a house drain into the highway right-of-way at 1198 South 1070 East in Greentown. Mr. and Mrs. Goodspeed will be responsible for the drain and any future repairs. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to authorize the placement of the drain in the highway's right-of-way as submitted.
2. **Appreciation To Mr. Cain:** President Raver expressed appreciation to Mr. Cain for all the hard work he and the Highway Department have done during this month of February, to keep Howard County roads in good condition. According to the Highway Department Report, twenty-nine mailboxes have been repaired. Mr. Raver approves of the work that has been done and how Mr. Cain has handled situations. Mr. Bagwell commented that Mr. Cain works for the Board of Commissioners and is answerable to them. It is his first responsibility to remove snow and to be safe.

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

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

1. **Current Inmate Population:** The current jail population is three hundred and six (306) inmates, with forty-one of them being females.
2. **Previously Approved Van Bid:** At the February 19<sup>th</sup> Commissioner Meeting, the vehicle quote from Dan Young GM Center, in the amount of \$19,000.00 was accepted. When Sheriff Talbert contacted Mavron about the detention equipment the vehicle would need to be equipped with, they asked if the trim panels for the doors had been ordered. In previous years, the trim panels for the doors have been included as standard equipment. When Sheriff Talbert inquired of Dan Young GM Center, they affirmed that the trim panels were not "standard equipment" but could be ordered as a factory option for \$95.00. Sheriff Talbert needs authorization to spend \$19,095.00, including the \$95.00 for the trim panels. A motion was made by Mr. Bagwell to authorize the additional \$95.00 for the trim panels. The motion was seconded by Mr. Trine and carried.
3. **Bid Package For New Patrol Vehicles:** Sheriff Talbert distributed copies of the Bid Package he has prepared for the purchase of six new vehicles and trade in five vehicles. He intends to use the sixth present vehicle as an assigned vehicle to Courthouse Security. Attorney Larry Murrell commented that the bid package and the bid bond look to be in order. The first part of State Form 96 needs to be included and is available in the Auditor's Office. The Board unanimously approved the bid package and set March 29, 2007 at 3:00 p.m. as the deadline for return of bids, and April 2<sup>nd</sup> for the opening.
4. **High Mileage Patrol Cars:** Sheriff Talbert distributed copies of an article written by Officer Ed Santos, pertaining to the high mileage of Sheriff Department patrol vehicles.

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

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

1. **Ordinance No. 2007-BCCO-10:** This ordinance is to rezone property located at 4379 West 250 South from R-1 (Residential) to B-2 (General Business), and was approved on a motion made by Mr. Trine and seconded by Mr. Bagwell.
2. **Transportation, Community, And System Preservation Program Grant Application:** Mr. Boise submitted the Kokomo U.S. 31 Corridor Land Use project application for Commissioners' information. The available funds, in the amount of \$80,000.00, require matching funds in the total amount of \$20,000.00, from the City of Kokomo and Howard County. This application does not require Commissioners' signatures.
3. **Septic Problems Affecting Taylor Regional Sewer District And Darrough Chapel Subdivision:** President Raver took this opportunity to report on the progress of discussion concerning the sewage problems in Darrough Chapel and the issues concerning the Taylor Regional Sewer District (*please refer to page six and seven, "In The Matter of the Taylor and Darrough Chapel Sewer District" of the Commissioner Meeting minutes dated February 19, 2007*). Mr. Raver has been in contact with City Engineer Jeff Rudolph, and has spoken with Mr. John Caton, an engineer from Fleis & Vandenbrink Engineering, Inc. Mr. Caton will contact the Health Department (Kris Conyers and Michelle Gilbert) and the Plan Commission (Glen Boise) and consult with them before making a report to the Board of Commissioners.

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

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

1. **Health Department Electrical:** The electrical project for the Health Department has been completed (*please refer to item one, page two, "In The Matter Of Maintenance Department Issues" of the Regular Meeting minutes dated February 5, 2007*).
2. **Government Center Parking Space Assignments:** The Howard County Recycling District, formerly known as the Solid Waster Department, has moved into another facility. Property Systems have almost completed their move and have sold non-County owned furniture to the Community Corrections Department, who will be moving into the former Property Systems and Recycling District Offices. The Coroner will be moving into the office space next to the Veterans Service Office, previously used by the Community Corrections Department. There are six parking spaces north of the Government Center that can be assigned, and at the conclusion of discussion the parking spaces were assigned as follows:

Community Corrections	three (3) parking spaces
Health Department	two (2) spaces, one for County Owned Truck
Plan Commissioner	one (1) additional space
Coroner	one (1) space in the Administration Center lot

Mr. Fross and Mr. Scott Reed are in the process of obtaining keys and parking stickers from the members of the Recycling District Department.

3. **A T & T Phone Upgrade:** The A T & T Phone Upgrade Contract for the Courthouse has not been completed. Mr. Murrell is still in negotiations concerning the payment schedule, asking to include, "subject to statutory claim procedure" in the payment schedule portion of the contract. Mr. Murrell reminded the Board that the County should not be subjected to "late fees".

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

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

1. **Hardware/Software Account For Information Systems:** Mr. Tribby informed the Board that in 2006, his Hardware / Software account was in the EDIT fund. At budget time, that line item was removed from the EDIT fund and Mr. Tribby was not aware of the change. He asks permission to request Cumulative Capital money in the amount of \$20,000.00 for Hardware/Software money for the various computer needs of the County Offices. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to authorize the request of \$20,000.00 from Cumulative Capital into line item 04727.00, Hardware/Software.
2. **Computer Replacement Grant Opportunity:** Superior Court I Judge Menges has informed Mr. Tribby of a grant opportunity to purchase replacement equipment. He will keep the Commissioners updated on this possible opportunity.
3. **Ambulance To Dispatch Connectivity Business Association Agreement:** Mr. Tribby will bring the Business Association Agreement to the March 19<sup>th</sup> Commissioner meeting. This agreement is to provide all ambulance providers with E-911 connectivity to the main Dispatch Center.

#### **IN THE MATTER OF A REQUEST FOR A PUBLIC HEARING:**

Mr. Sidney P. Culp submitted a Petition for Vacation of Public Way for property located on the east ½ of vacant Locust Street to the east and west and between County Road 164 South to the South and vacant south ½ of Third Street, Jerome, to the North. He comes now to set the date for the Public Hearing. On a motion made by Mr. Bagwell and seconded by Mr. Trine, the Public Hearing date is set for Monday, April 2, 2007 at 9:30 a.m.

#### **IN THE MATTER OF THE FACILITIES REQUEST FOR THE NATIONAL DAY OF PRAYER:**

Mr. Chuck Griffith presented a request on behalf of the National Day of Prayer Committee. The National Day of Prayer Community Gathering is scheduled for Thursday, May 3, 2007. The Committee requests permission to meet inside the Courthouse Rotunda if the weather is inclement from 12:00 noon until 1:00 p.m. The request is approved on a motion made by Mr. Trine and seconded by Mr. Bagwell.

***At this time the Regular Meeting is adjourned to hold a previously scheduled Public Hearing concerning the Petition to Vacate a Public Way.***

Mr. David Baird submitted a Petition to Vacate a Public Way, located in New London, Howard County, Indiana, on behalf of George Young. All appropriate paperwork has been submitted and Utilities and adjacent property owners have been contacted. The floor was opened for Public Comment. There being no questions or comments from the public, President Raver closed the Public Hearing.

***The Regular Commissioner Meeting is reconvened.***

A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the Petition to Vacate a Public Way in New London as per Ordinance No. 2007-BCCO-11.

#### **IN THE MATTER OF ADVANCED LIFE SUPPORT BOUNDARIES WITH CARROLL COUNTY:**

Representatives from Carroll County, St. Joe Hospital and Howard Regional were in attendance to discuss the boundaries and first response issues for the North West portion of Howard County that borders Carroll County, as requested by Carroll County (*please refer to page four, "In The Matter Of Ambulance Service In Burlington", of the Regular Meeting minutes dated December 18, 2006*). Because Burlington is close to the western border, and they are now able to provide **Advanced Life Support**, the Board of Commissioners approved Burlington Fire Department to provide Advanced Life Support service to Monroe and Ervin Townships and to continue the dual response service with the first responder on the scene to transport. This agreement is effective January 1, 2007, continuing until the Howard County Assignment of territories is finalized. Because we are currently under a Tolling Agreement until June, 2007, the territories won't be finalized until then. Mr. Raver distributed copies of a map with proposed boundaries for Burlington response. Mr. Bagwell suggested that the solid blue line on the map be made a dotted line to confirm the territory boundary if Burlington is not able to respond. Mr. Derr, Carroll County EMS Director expressed appreciation to the Board of Commissioners for their insight that response time should be the determining factor when discussing boundary issues. At the conclusion of ensuing

discussion, a motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to modify the October 3, 2005 Agreement on the ALS Services for Howard County, to include the area defined on the submitted map as being consigned to Burlington Fire Department in Carroll County. The modification is effective April 1, 2007. At the conclusion of the motion, Attorney Larry Murrell suggested to the Board that, because this agreement is between two different governmental entities, he prepare a simple Interlocal Agreement between Howard County and Carroll County. Mr. Raver expressed appreciation to Mr. Murrell for his suggestion and to St. Joe Hospital and Howard Regional Center for their cooperation in this matter, and their commitment to allowing the quickest response time to be the determining factor when considering the boundary lines.

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

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

1. **Commissioners' Salary Claims:** Salary, hourly and overtime claims payable March 9 and 16, 2007, in the amount of \$313,019.77, were approved on a motion made by Mr. Trine and seconded by Mr. Bagwell.
2. **Commissioners' Operating Claims:** Operating Claims payable March 5, 2007, in the amount of \$477,707.61 were approved on a motion made by Mr. Trine and seconded by Mr. Bagwell.

#### **IN THE MATTER OF THE TOWNSHIP ASSISTANCE HEARING:**

President Raver submitted the Township Assistance Hearing for Mr. Brett Field, Center Township, and recommended that the denial be upheld. The denial of the Township Trustee for the hearing of Mr. Brett Field was upheld on a motion made by Mr. Bagwell and seconded by Mr. Trine.

#### **IN THE MATTER OF THE KELLER & HECKMAN INVOICE FOR THE REBANDING PROJECT:**

County Attorney Larry Murrell submitted the invoice from Keller & Heckman, for attorneys' fees for the Rebanding Project in the amount of \$3,776.25. This invoice needs to be approved by the Board of Commissioners, and forwarded to Sprint Nextel for payment. The invoice, in the amount of \$3,776.25, was approved for forwarding on a motion made by Mr. Bagwell and seconded by Mr. Trine.

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

1. **Snow Removal At The Johanning Civic Center:** Commissioner Trine informed the Board that he had been contacted by a citizen concerning the snow removal effort at the Johanning Civic Center. The snow had been pushed toward the building causing the entrance to be inaccessible, and the North Street entrance was made inaccessible, as well. Mr. Trine was directed to talk to Civic Center Director, Kelli Austin, concerning the problem.
2. **Johanning Civic Center Mortgage:** At the February 5<sup>th</sup> meeting, Attorney Larry Murrell was authorized to contact Barnes & Thornburg and Crowe Chizek and Co. to review the Johanning Civic Center loan and the possibility of refinancing (*please refer to page five, "In The Matter Of The Johanning Civic Center Mortgage" of the Regular Meeting minutes dated February 5, 2007*). Mr. Murrell reported that he has been in contact with Mr. Rick Hall, of Barnes & Thornburg. Mr. Murrell has also learned that the loan is set up as an adjustable rate loan and is currently set at 3.4% until February of 2008, then adjusted to 80% of the prime rate. National City, who holds the loan, is presently writing loans at 5%. Mr. Murrell will have more information for the next Commissioner meeting.
3. **E-911 Tower:** Mr. Bagwell reported that the new tower is complete. One set of stand-offs is being corrected by Sabre Communications. The building and generator are still in progress and they are awaiting weather conditions to determine when they can be completed. Mr. Bagwell would like to see the project completed by the end of March, weather permitting.
4. **Weights And Measures Report:** The Weights and Measurers report for the month of January 15, 2007 to February 15, 2007 was accepted as submitted on a motion made by Mr. Bagwell and seconded by Mr. Trine.

5. **Veteran Service Officers Report:** A motion was made by Mr. Trine, seconded by Mr. Bagwell and carried to accept the Veteran Service Officers monthly report for the month of January, 2007.

There being no further business to come before the Board of Commissioners at this time, the meeting was adjourned at 10:15 a.m. on 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 March 5, 2007