

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING OCTOBER 1, 2007

The Howard County Board of Commissioners met in Regular Session on Tuesday, October 1, 2007, at 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 opened by Sheriff Marshall Talbert and conducted by President Paul Raver.

IN THE MATTER OF THE APPROVAL OF MINUTES:

The minutes of the September 17, 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 HIGHWAY DEPARTMENT ISSUES:

Highway Department Supervisor/Engineer Ted Cain presented the following issues for Board information and approval:

1. **School Bus Turn Around:** An Agreement For School Bus Turn Around was submitted for Northwestern Schools. This Turn Around is to be located at 168 North County Road 820 West, Kokomo, and is owned by Dennis & Julie Rupert. This meets with Mr. Cain's approval. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the School Bus Turn Around for Northwestern Schools.
2. **Unofficial Detour Reimbursement Contract:** This contract is for reimbursement of damages to County Road 1280 West, between 200 South and 250 South, in the amount of \$6,109.15. The contract was approved on a motion made by Mr. Bagwell and seconded by Mr. Trine.
3. **2008 Annual Bids For Materials And Supplies:** Mr. Cain submitted a Notice To Bid, and specifications for the 2008 Materials and Supplies Bids. The bids will be taken until 8:00 a.m. of Monday, November 19, 2007, to be opened at 8:30 a.m. of the 19th. A motion to approve the 2008 Annual Bids for Materials and Supplies for the Highway Department was approved on a motion made by Mr. Trine and seconded by Mr. Bagwell.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

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

1. **Bomb K-9:** Sheriff Talbert informed the Board that the Military has requested twenty-three spots in the November training school. Sheriff Talbert was asked if he could postpone training until February of 2008. Sheriff Talbert agreed to the postponement (*please refer to page two, item four, "In The Matter Of Sheriff Department Issues" of the Regular Meeting minutes dated June 18, 2007*).
2. **Quotes For Bomb-Sniffing K-9 Vehicle:** Sheriff Talbert submitted the following quotes for the K-9 Vehicle, 2008 model year, full size extended cab, four-wheel drive pick-up truck:

Conkle Superstore	\$22,926.93 (includes \$3,500.00 trade-in)
Brad Howell Ford	\$23,999.95 (includes \$2,000.00 trade-in)

Sheriff Talbert recommends the purchase from Conkle Superstore, as the lowest responsible and responsive quote. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the quote from Conkle Superstore, in the amount of \$22,926.93.

3. **Equipment Updates:** The van being equipped with the Mavron insert will be returned this week. The six new vehicles are in Howard County; four of them are in service; all five of the trade-in vehicles have been delivered to Indianapolis to be relayed to Bloomington Ford. Miles & Finch have been contacted to remove the five trade-in vehicles and add the six new vehicles. Every vehicle that has been traded had in excess of 100,000 miles. The fleet is in good shape.

4. **Inmate Wristbands:** The Criminal Justice Center is now requiring inmates to wear identification wristbands. Jail Lieutenant Robin Byers took the podium to present the information to the Board of Commissioners. She submitted samples of the color-coded wristbands for Board examinations as follows:

Blue	--	General Male Population
Yellow	--	General Female Population
Red	--	Restricted Housing (more violent)
Orange	--	Inmate Worker

The colors are coded to match the inmate's uniforms; if the status changes, the wristband changes. The bands all have picture ID's; that will help with insuring the proper medication is given to the correct inmate. With the population increasing this system will be invaluable and will be the first step of a future inmate scanning system. Lieutenant Byers continued to explain the value of a scanning system. She also stated that she has received positive feedback from the inmates. Many counties in Indiana have this system already in place and several inmates have already been used to such a system. Sheriff Talbert has talked to State Attorney, Howard Williams, concerning the legalities of the system and the ability to require an inmate to where the band.

5. **Animal Control Training Seminar:** There has been much media coverage concerning illegal animal fighting. Sheriff Talbert informed the Board of Commissioners of a Seminar sponsored by the Humane Society and Indianapolis Animal Care & Control, to be held in Indianapolis on October 30, 2007. Sheriff Talbert plans to take several officers, and extended invitations to the County Attorney and Assistant County Attorney, as well as animal control workers. Attorney Murrell gave a brief update of the status of the Local Animal Control Ordinance.
4. **Gator Equipment For Criminal Justice Center:** With the help of Captain Vincent, The Criminal Justice Center was able to purchase a John Deere Gator with Homeland Security Funds. The Gator is equipped with a snow blade and a hard shell cab cover for the winter weather, as well as an open cover with a roll bar for the summer months. Sheriff Talbert commended Captain Vincent for facilitating the process.
5. **Jail Population:** The current population of the Criminal Justice Center is three hundred thirty five (335) inmates.
6. **Courthouse Security:** Sheriff Talbert reported that the Security System at the Courthouse is progressing well. He has experienced difficulties with the wording of the posted signs, concerning the requirement to scan the security badge. The signs will be changed to include "County Employees and Frequent Visitor Pass holders". Sheriff Talbert was reminded that the Security Committee has the power to grant **and rescind** all security passes.
7. **Corrections Officer And Animal Accident:** Officer Ryan Reel was struck by a deer while riding his motorcycle and is taking Family Medical Leave for several weeks. A Benefit motorcycle ride will be held for Officer Reel, and Sheriff Talbert asked permission to post signs on the County's bulletin boards concerning the Benefit. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to allow the posting of the signs concerning the Benefit Ride on behalf of Officer Reel.
8. **Bridge Fishing Amendment:** Attorney Murrell informed Sheriff Talbert that the proposed amendment for the Bridge Ordinance is ready for Board action (*please refer to page one, item four, "In The Matter Of Highway Department Issues", of the Regular Meeting minutes dated September 4, 2007*). Both Sheriff Talbert and Highway Engineer Ted Cain approve of the amended Ordinance which will be considered for adoption at the October 15, 2007 meeting.

*At this time the Board of Commissioners opened Bids
for the Highway Department Grader Equipment, and the
Howard Haven Roofing Project, as previously advertised.*

One bid was received for the Highway Department Motor Grader, from Brandeis Construction & Mining Equipment. The bid is in the amount of \$160,909.00 for the Grader with stand-up. A trade-in would be allowed in the amount of

\$14,000.00, bringing the total amount to \$146,909. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to take the bid from Brandeis Construction & Mining Equipment under advisement for Mr. Cain's review.

Two quotes were received for the Howard Haven Roofing Project as follows:

Love Contractors of Gaston	\$107,950.00
Arnie Cook Exteriors	\$108,515.00
	(alternate proposals for \$81,115.00 & \$73,940.00)

Mr. Fross reasonably expected the price of the roofing project to come in under \$75,000.00. However, because both bids were over \$75,000.00, it may be advisable to follow the regular bid process. A motion was made by Mr. Bagwell to take the quotes under advisement for Mr. Fross' review and recommendation to the Board. The motion was seconded by Mr. Trine and carried.

IN THE MATTER OF PLAN COMMISSION ISSUES:

Ms. Jan Bass of the Plan Commission Office presented the following issues for Board information and approval:

1. **Case 9-CP-07:** One lot in Wild's at Scott's Borough, located at 4802 South County Road 950 East, is approved on a motion made by Mr. Bagwell and seconded by Mr. Trine.
2. **Case 8-CP-07:** Six (6) lots in Beachwood Estates, located at 1376 North County Road 1150 West are approved on a motion made by Mr. Trine and seconded by Mr. Bagwell.
3. **Case 11-CP-07:** One lot in Kings Way Subdivision, located at 11037 West County Road 150 North, is approved on a motion made by Mr. Trine and seconded by Mr. Bagwell.
4. **Proposed Ordinance No. 2007-BCCO-39:** This Ordinance is to rezone property located at 341 South County Road 00East West, from R-1 (Residential) to B-2 (General Business). This request was given a favorable recommendation by the Plan Commissioners. The Ordinance was properly advertised on the Agenda for this meeting. There being no public comment, a motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve Ordinance No. 2007-BCCO-39, rezoning property from R-1 (Residential) to B-2 (General Business).
5. **Proposed Ordinance No. 2007-BCCO-40:** This Ordinance is to rezone property located at 10519 West County Road 100 North from A-1 (Agriculture) to B-1 (Local Business). This request was properly advertised on the Agenda, as required by law. The petitioner wants to add a farm market and small convenience store to the property. The Plan Commission considered the request "spot zoning" and forwarded an unfavorable recommendation. There being no public comment at this time, a motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to deny the request to rezone.
5. **Excavation Of Property In West Liberty:** Ms. Bass forwarded a request from Mr. Boise for the Board of Commissioners to determine if they were ready to bid for the excavation of property located at 320 South County Road 1250 East in West Liberty (*please refer to page two, item two, "In The Matter Of Plan Commission Department Issues" of the Regular Meeting minutes dated September 17, 2007*). Mr. Murrell requested this be addressed at the October 15th meeting. A neighbor to the property, Deb Gatti, 3340 South County Road 1250 East, was in attendance to ascertain the progress of the clean up of the property. At this time, consent must be obtained from the owner to continue with the demolishing of the property. Mr. Murrell will address the consent immediately.
6. **Waste Water Run-off Complaint:** The Plan Commission Office has received affirmation from the Health Department that the State's IDEM is working on this complaint, located at 6503 West County Road 90 South (*please refer to page two, item five, "In The Matter Of Plan Commission Department" of the Regular Meeting Minutes dated September 4, 2007*).

IN THE MATTER OF MAINTENANCE DEPARTMENT ISSUES:

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

1. **Sidewalk Project At Howard Haven:** The sidewalk project at Howard Haven has been completed. The Maintenance Department will check the location where the storage tank was removed, to see if any additional fill dirt is needed.
2. **Additional Cameras & Equipment At The Courthouse:** The installation of additional cameras and equipment has not yet been completed. They are waiting on additional parts needed.
3. **Additional Dryer For Criminal Justice Center:** An additional dryer has been ordered (*please refer to page three, item five, "In The Matter Of Maintenance Department Issues" of the Regular Meeting Minutes dated September 17, 2007*). The dryer's price is \$4,153.00 (including shipping).
4. **Courthouse Phone System:** The new phone system installation at the Courthouse has been completed. The Centrex contract with A T & T, pertaining to that system, has not yet been finalized. Mr. Murrell informed the Board of Commissioners that in a phone conference with A T & T, Lorene Ehrlichman promised action by October 15, 2007. Mr. Murrell was informed that the termination cost cannot be deleted from the contract. As an alternative, we will be given broad discretion as to the number of Centrex lines that must be kept.
5. **Van Repair Needed:** The Maintenance Department has a van that is used to haul trash. It needs to have the front end replaced. There is also a pick-up truck that belongs to the Maintenance Department, at the Criminal Justice Center. Mr. Fross intends to fix the van and keep that vehicle at the Criminal Justice Center, then bring the pick-up truck downtown.
6. **Kiosk Lines At The Criminal Justice Center:** The lines needed for the Kiosk system have been installed at the Criminal Justice Center and are ready for the delivery of the kiosk (*please refer to page two, item nine, "In The Matter Of Sheriff Department Issues", of the Regular Meeting Minutes dated April 2, 2007*). The use of the kiosk will increase the amount of money generated to the Commissary. The Inmate Handbook, as well as medical scheduling, will be put on the kiosk, as well.
7. **Record Storage Space:** President Raver reminded the Board that at the September 17th meeting, possible solutions to the problem of needed storage space were discussed (please refer to page three, item ten, "In The Matter of Maintenance Department Issues", of the Regular Meeting minutes dated September 17, 2007). A good solution has not yet been found. Possible space at the Government Center is needed for Emergency Management purposes. Office Holders in the Administration Center did review and clean the storage on the fourth floor. At the close of ensuing discussion, Mr. Bagwell suggested looking at the possibility of moving the Maintenance offices to the 4th floor of the Administration Center and using the Courthouse basement area for storage for the Clerk's records. That issue will be considered as a short term possibility.

IN THE MATTER OF PERSONNEL DEPARTMENT ISSUES:

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

1. **AFLAC Employee Memo:** AFLAC representatives Gary Keisling and Denny Camden will be in the County to meet with employees concerning voluntary insurance plans available through payroll deduction. These meetings will be held October 16 - 19, 2007 and Ms. McKillip would like permission to distribute these memos through the payroll, October 12, 2007. Permission was given to Ms. McKillip to distribute the memos through the payroll, October 12, 2007, on a motion made by Mr. Bagwell and seconded by Mr. Trine.
2. **Insurance Meeting Update:** An Insurance Committee Meeting was held last week. The premiums will be the same for 2008. Claims are good and the Insurance Fund is doing well.
3. **Additional Appropriation Needed:** In February of this year there was a change in the Administrative Assistant position in the Personnel Office. Accrued vacation time and compensation time had to be paid, creating a deficit in the fund. An additional \$1,050.00 is needed to complete the year. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to authorize an Additional Appropriation request of \$1,050.00 to be presented to the Howard County Council.

4. **Thank You To The Board Of Commissioners:** Ms. McKillip expressed appreciation to Mr. Trine and the Board of Commissioners for their sponsorship of the golf outing to benefit the Howard County employees.
5. **Employee Security Badges:** Ms. McKillip requested direction from the Board of Commissioners as to the proper procedure for the employee security badges when an employee is terminated or there is a rehiring of a former employee. Ms. McKillip was directed to notify the Security Office of the termination of the employee so the identification badge can be inactivated. The second step would be to collect the badge at the exit interview.

IN THE MATTER OF INFORMATION SYSTEMS ISSUES:

Information Systems Director Terry Tribby presented the following issues for Commissioners' information and approval:

1. **JTech / Case Management Software:** Mr. Tribby has talked with Howard County Judges concerning the State's new case management records and Jury Selection Software and they would like to implement as soon as possible. The program is still in its testing phase, and in 2008 they will be testing the software in a number of differing situations and counties. Howard County is on the schedule for implementation in 2009.
2. **Other JTech Programs:** At the September 17th meeting, Mr. Tribby informed the Board of new Jury Selection Software available. He and Mr. Deleon will be attending the meeting on October 4th (*please refer to page three, item one, "In The Matter Of Information Systems Issues", of the Regular Meeting Minutes dated September 17, 2007*). Mr. Tribby reported on another JTech project of in-vehicle electronic tickets. That project gives officers the ability, with their present wireless connectivity, to electronically produce a traffic ticket and electronically submit it. Galveston has this program from a private vendor, and will give a demonstration to Mr. Tribby.
3. **Fingerprint System:** At the present time, the Criminal Justice Center fingerprints an inmate and sends the prints to the State. There is no local query. Mr. Tribby was informed that there is equipment and program available for local query, and he would like to look into that option. Sheriff Talbert expressed concern that any equipment and software be compatible to the present system.
4. **CYSCO Law Enforcement Conference:** Mr. Tribby will be attending the CYSCO Law Enforcement Conference October 15th and check out new available software.
5. **Cell Phone Enhancement In The Administration Center:** Equipment has been approved by Verizon and ordered to enhance cell phone service in the Administration Center (*please refer to page three, item two, "In The Matter Of Information Systems Department Issues", of the Regular Meeting minutes dated September 17, 2007*).

IN THE MATTER OF PUBLIC DEFENDER STORAGE NEED:

Public Defender Steve Raquet submitted a request for needed storage of records, to the Board of Commissioners. Though the State's Supreme Court has not placed direction on how long attorney's records must be kept, the State has asked that all Public Defenders keep their records forever. The files are not required to be hard copies; they can be scanned. They are also not required to be on site. The Board of Commissioners directed Mr. Raquet to work with Mr. Tribby in determining the time and effort needed to scan those records for storage.

IN THE MATTER OF RECORDER CONTRACT WITH INDEPENDENT CONTRACTOR:

Recorder Linda Koontz submitted a contract with Chief Deputy Lisa England for independent back - indexing work for the digital project in the Recorder's Office, outside of her regular employment. Ms. Koontz has filed a Conflict of Interest Disclosure form with the Auditor's Office. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the Agreement for Contract Services with Lisa England and authorize the President to sign on behalf of the Board of Commissioners.

IN THE MATTER OF CITIZEN REQUEST FOR INFORMATION REGARDING THE CONVENTION AND VISITOR'S BUREAU:

Mr. Dick Trott, 1837 South Armstrong, Kokomo, was in attendance to seek information concerning the Convention and Visitor's Bureau. Mr. Trott is concerned over the financial accountability of the Bureau and asked for the appropriate governing body to address those concerns. Attorney Murrell informed Mr. Trott that the Howard County Council has to appropriate the funds for the Convention and Visitor's Bureau salaries as well as approve the Bureau's budget. The Convention and Visitor's Commission is the organization that the Bureau is accountable to.

IN THE MATTER OF E-911 CONCERNS:

E-911 Coordinator Tony Ramsey presented the following issues for Board information and approval:

1. **Invoice From Integrity Communications:** Mr. Ramsey submitted an invoice from Integrity Communications for the installation of a grounding system and battery back-up for the new Emergency Tower. Discussion ensued with Mr. Ramsey, Mr. Fross and Mr. Bagwell as to whether this cost had been previously invoiced as a part of the original tower installation agreement. Mr. Ramsey will contact Tony Johnson from Integrity to investigate the invoice.
2. **Sprint / Nextel Rebanding Agreement Amendment:** Mr. Ramsey submitted a copy of the fully executed Amendment One to Frequency Reconfiguration Agreement between Howard County and Nextel West Corp. This copy will be kept on file in the Auditor's Office.
3. **Failed 911 Call:** An emergency called made in northern Clay Township that was responded to by Galveston, did not come into the Dispatch Center. Apparently the Galveston 699 exchange has had problems. Verizon is the carrier in that area. Mr. Ramsey will look into this issue.

IN THE MATTER OF CLAIMS AND REPORTS:

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

1. **Possible Non-Compliance Issues:** The Auditor's Office has had three years of non-compliance issues with the Department of Local Government Finance. The DLGF is sending representatives to work with the Auditor's Office to try to define what those issues are and move the County into compliance.
2. **Commissioners' Salary Claims:** The salary, hourly and overtime claims payable October 5 and 12, 2007, in the amount of \$313,019.77 each, were approved on a motion made by Mr. Trine and seconded by Mr. Bagwell.
3. **Commissioners' Operating Claims:** The Operating Claims payable October 1, 2007, in the amount of \$525,438.10, were approved on a motion made by Mr. Bagwell and seconded by Mr. Trine
4. **Endorsement Of Check Received On Behalf Of Equipment Destroyed In The EMA Fire:** Ms. Wells submitted a settlement check from Selective Insurance Company, in the amount of \$10,000.00, for equipment belonging to employee Brad Kendall that was destroyed in the EMA fire. This check is made out to the Board of Commissioners Howard County and Brad Kendall, and requires endorsement by the Board. Also received was a check in the amount of \$1,738.70 for extra expenses. That check will be forwarded to Butler Fairman and Seufert for payment of invoice #53153.
5. **GASB Contract:** Ms. Wells submitted a contract for GASB inventory software, in the amount of \$600.00, and forwarded it to Mr. Murrell for his review.
6. **Other Concerns:** Mr. Raver forwarded an inquiry from Homeland Security concerning paperwork due to the State, the end of September. That issue has been taken care of. The Auditor's Office is also investigating ARCH payments for residents of Howard Haven. That report will be available soon.

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

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

1. **Keller & Heckman Invoice:** Mr. Murrell submitted an invoice from Keller & Heckman, in the amount of \$70.00, for services concerning the Sprint/Nextel Rebanding Project. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the invoice from Keller & Heckman and forward it to Sprint/Nextel for payment.
2. **Proposed Lease For Button Motor Downtown Property:** Mr. Murrell has reviewed the proposed lease for the Button Motor property prepared by Attorney Don Button (*please refer to page five, item two, "In The Matter Of County Attorney Issues" of the Regular Meeting minutes dated September 4, 2007*). This Lease Agreement has been marked with changes, by Mr. Murrell, and he suggests that the Board approve the lease effective today subject to Mr. Murrell and the insurance company's approval. The amount of the lease agreement is \$1,500.00 monthly. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to accept the terms of the Lease Agreement with Button Motors subject to the approval of Attorney Murrell and Miles & Finch Insurance, and authorize the President to sign on behalf of the Board of Commissioners, if concluded before the October 15th Commissioner Meeting.

IN THE MATTER OF COMMISSIONER ISSUES:

1. **City's DSL Back-up Line:** At the previous Commissioner Meeting, the Board of Commissioners authorized the Auditor to invoice the City for the reimbursement of past 2007 DSL bills for their back-up Dispatch line (*please refer to page four, item five, "In The Matter Of Information Systems Department Issues" of the Regular Meeting minutes dated September 17, 2007*). Mr. Raver reported that the letter generated by Commissioner Bagwell and the invoice generated by the Auditor's Office has been sent to the City.
2. **Weights & Measures Report:** The Weights & Measures Report, for the month ending September 15, 2007, was accepted on a motion made by Mr. Bagwell and seconded by Mr. Trine.
3. **Veteran's Service Report:** The monthly Veteran's Service Report for the month of August, 2007, was accepted on a motion made by Mr. Bagwell and seconded by Mr. Trine.

There being no further business to come before the Board of Commissioners at this time, the meeting was adjourned at 11:02 a.m. on a motion made by Mr. Bagwell and seconded by Mr. Trine.

HOWARD COUNTY BOARD OF COMMISSIONERS:

PAUL J. RAVER, PRESIDENT

BRADLEY J. BAGWELL, VICE PRESIDENT

DAVID A. TRINE, MEMBER

ATTEST:

ANN WELLS, AUDITOR

Howard County Board of Commissioner Meeting October 1, 2007