

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

The Howard County Board of Commissioners met in Regular Session on Monday, November 19, 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 present 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 November 5, 2007 Regular 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 Superintendent/Engineer Ted Cain presented the following issues for Commissioners' information and approval:

1.     **Opening Of 2008 Materials & Supplies Bids:** The 2008 Material & Supply Bids were opened and recorded as follows:
  - Item #1 Pre-cast and Pre-stressed Beams  
No Bids Received
  - Item #2 Various Grades of Asphalt, Emulsion, and Tar  
Asphalt Materials, Inc  
Mohr Construction Co., Inc.
  - Item #3 Bituminous Coated Aggregate, Asphalt, And Concrete Binder & Top  
Mohr Construction Co., Inc.
  - Item #4 Stone  
Hanson Aggregates Midwest  
Martin-Marietta Materials  
IMI
  - Item #5 Equipment Rental  
Primco Inc
  - Item #6 Diesel Fuel  
North Central Co-op

A motion was made by Mr. Bagwell to take all the bids under advisement for Mr. Cain's review. The motion was seconded by Mr. Trine and carried.

2.     **Grader Bids:** The bids for a new or used Grader for the Highway Department were opened and taken under advisement at the last meeting (*please refer to page one, "In The Matter Of The Opening of Highway Grader Bids", of the Regular Meeting minutes dated November 5, 2007*). Mr. Cain made a recommendation of Holt Equipment, in the amount of \$136,600.00 as the lowest responsive and responsible bid. He reminded the Board that it is more cost effective to purchase a new grader with the State purchasing discounts, than to purchase a used piece of equipment. A motion was made by Mr. Trine, seconded by Mr. Bagwell and carried to approve the purchase of a 2008 John Deere Grader from Holt Equipment in the amount of \$136,600.00, which includes the trade-in amount of \$14,000.00 for a 1978 Grader.
3.     **Construction Inspection Agreement With Butler Fairman & Seufert:** Mr. Cain submitted an Agreement with Butler, Fairman & Seufert to furnish staff and supporting personnel for construction inspection for the reconstruction of Bridge No. 501 on Ohio Avenue. This

Agreement was initially approved by the Board in February, 2007 but an Agreement was not ready for signature. The estimated cost would be \$113,351.30, to be paid up front. Federal funds will pay for a portion of the project cost and the total cost to Howard County will be \$22,000.00. Mr. Cain recommends approval of this Agreement. The Agreement with Butler Fairman & Seufert for the construction inspection of the Ohio Street Bridge project was approved on a motion made by Mr. Bagwell and seconded by Mr. Trine.

4. **Second Phase Of Howard County For US 31 Freeway Project:** Howard County's 1<sup>st</sup> Phase of the US 31 Freeway Project is underway (*please refer to page one, item two, "In The Matter Of Highway Department Issues" of the Regular Meeting minutes dated August 20, 2007*). Because the Federal Act will come to a close at the end of 2008, funds used to help finance the projects have to be obligated by October 2008. Mr. Cain will pursue an Interlocal Agreement with the City Of Kokomo to begin the Morgan Street Phase of the US 31 Freeway Project, from the existing 31 Bypass to Touby Pike. Commissioner Bagwell and Mr. Cain discussed the Freeway Project's design of bike paths on the Freeway and its bridges.

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

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

1. **Damage To Criminal Justice Sign:** Sheriff Talbert informed the Commissioners that the City of Kokomo, this morning, has removed the three-way stop at the corner of Berkley Street and Markland Avenue. He also reported a vehicle accident involving a drunk driver and the Criminal Justice Center's sign. Sheriff Talbert expressed appreciation to Mr. Fross for his assistance in the clean up of the broken pieces and restoring functionality to the remnants of the sign. Mr. Fross is working with the insurance company and has estimated the repairs at \$6,000.00.
2. **Keefe Agreement:** Sheriff Talbert submitted the agreement with Keefe Commissary for the kiosk at the Criminal Justice Center. The kiosk has been working well; being able to receive inmate commissary funds electronically, relieves stress from Central Control. The requested changes to the Agreement have been made and it is ready for Board approval and signature. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the Agreement with Keefe Commissary for inmate deposits, and authorize the President to sign on behalf of the Board of Commissioners.
3. **Jail Population:** The current Inmate population is three hundred nine (309).
4. **Inmate Phone Cards:** Sheriff Talbert is looking into the idea of using phone cards for inmates. He wants to make sure he finds a vendor that supplies phone cards that can be used outside of the jail facility.
5. **Permission To Post Flyers:** Sheriff Talbert requests permission to post notices on County bulletin boards concerning a fundraiser for Terri Vincent, wife of Captain Harold Vincent, to help underwrite travel and hotel costs of her cancer treatments at Mayo Clinic. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to authorize Sheriff Talbert to post notices as he sees fit.
6. **Part Time Security Employee Needed:** Sheriff Talbert reiterated his need for a part-time employee for Courthouse Security. He reminded the Board that he is mandated to provide security for the Courthouse positions. He is having trouble keeping the positions filled.
7. **K-9 Vehicle:** The vehicle to be used for the Bomb sniffing K-9 will be delivered today. The K-9's handler has not yet been selected.
8. **Christmas Behind Bars:** Sheriff Talbert would like to allow the "Christmas Behind Bars" Ministry for the inmates at the Criminal Justice Center, again, this year. No Board action was necessary.

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

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

1. **Unsafe Building In West Liberty:** Mr. Boise's office did send the Registered Order To Demolish to the owner of the property located at 12541 East County Road 332 South (*please refer to page two, item one, "In The Matter Of Plan Commission Issues" of the Regular Meeting minutes dated November 5, 2007*). He is awaiting receipt of the receipt card.
2. **Proposed Zoning Ordinance:** Mr. Boise reminded the Board of the Open House for Public Comment and Question on the Proposed Zoning Ordinance, on Wednesday November 28, 2007 from 3:00 p.m. until 6:00 p.m. (*please refer to page two, item two, "In The Matter Of Plan Commission Issues", of the Regular Meeting Minutes dated November 5, 2007*). The Public Hearing will be held December 17, 2007 at 7:00 p.m. The Plan Commission Office is in the process of sending out 15,000 postcards announcing the event to property owners outside the city and towns' limits.

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

Buildings and Grounds Superintendent Art Fross presented the following issues for Commissioners' information and approval:

1. **Lock Equipment Proposal For South Door Of Courthouse:** The south door of the Courthouse has an alarmed crash bar on the door. This door needs a lock that would turn off and on by a magnet that holds the door. VigilCorp has given Mr. Fross a proposal for the lock and accompanying equipment, in the amount of \$2,960.00. Mr. Fross recommends we purchase it for \$2,960.00. A motion was made by Mr. Bagwell to approve the purchase of the lock equipment from VigilCorp, in the amount of \$2,960.00, authorize the President to sign on behalf of the Board of Commissioners, and direct Mr. Murrell to prepare the standard Purchase Agreement.
2. **Replacement Of Damaged Sign At Criminal Justice Center:** Earlier in the meeting Sheriff Talbert reported on the damaged sign at the Criminal Justice Center (*please refer to page two, item one, "In The Matter Of Sheriff Department Issues", of these minutes*). The sign was hit so hard that it was moved six to eight inches off the concrete foundation. The cost to replace the sign is \$6,885.00. This is covered by our insurance policy but carries a \$2,500.00 deductible. Our insurance company will pursue reimbursement for the deductible from the driver. Mr. Bagwell suggested the sign might be redesigned for better visibility. It was the consensus of the Board to deposit the insurance money into a dedicated fund and table this decision until an appropriate design is found.
3. **2008 Service Agreements:** Mr. Fross presented a 2008 Service Agreement from Simplex Grinnell for the care of alarms, sprinklers, and extinguishers for the five County facilities, in the amount of \$27,146.00. He also presented an agreement from Elwood Fire Equipment Co. for the same service to the five buildings in the amount of \$5,061.55. Mr. Fross recommends service from Elwood Fire Equipment Company, believing that they will give excellent service to Howard County. Mr. Fross will keep the Koorsen Company to monitor the alarm system in the three downtown buildings. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the 2008 Service Agreement with Elwood Fire Equipment Company in the amount of \$5,061.55 and authorize the President to sign on behalf of the Board of Commissioners.

Mr. Fross presented a 2008 Service Agreement with Certified Labs for water testing and treatment of water tanks for the boilers and air conditioners for all five County buildings, in the total amount of \$11,145.00. A motion was made by Mr. Bagwell to approve the 2008 Service Agreement with Certified Labs in the amount of \$11,145.00, and authorize the President to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Trine and carried.

4. **Sheriff Department Underground Tank:** IDEM contacted the Sheriff Department to inform them that the underground storage tank needed a new monitoring system. Mr. Fross has contacted a company from Indianapolis and was quoted a price of \$4,959.86 to replace the system. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the contract between Howard County and Gasoline Equipment Service Co. for the replacement of a new monitoring system for the underground tank, in the amount of \$4,959.86, and authorize the President to sign on behalf of the Board of Commissioners.

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

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

1. **PAC Recommendations:** Ms. McKillip presented the following PAC Committee recommendations.

The Community Corrections Department requested salary increases for these positions:

Transition/Re-Entry Coordinator	\$33,475.00 to \$36,494.00
Program Supervisor	\$30,273.00 to \$33,176.00
Case Manager	\$28,840.00 to \$30,160.00

PAC Committee Recommendations:

Transition/Re-Entry Coordinator	\$35,000.00
Program Supervisor	\$32,000.00
Case Manager	\$30,160.00

A motion was made by Mr. Trine to accept the PAC Committee recommendations concerning the Community Corrections Salary increases. The motion was seconded by Mr. Bagwell and carried with AYE votes from Mr. Raver and Mr. Trine and one NAY vote from Mr. Bagwell.

The Sheriff Department and Kinsey Youth Center requested the following salary guidelines for their nursing employees:

All nursing employees be hired in at 100% of their salary.

PAC Committee Recommendation:

The 90% wage for the 90 day probationary period will remain the same. Instead of the 95% for the remainder of the first year, the nurses would be paid at 100% of their wage on the 91<sup>st</sup> day. The nurses are a professional position to where they are hired with the skills to perform their jobs. The work requires knowledge of an advanced skill that is obtained by a prolonged course of specialized instruction and study.

A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to recommend a 95% salary for the 90 day probationary period, in lieu of the 90% salary, then to 100% on the 91<sup>st</sup> day.

2. **Anthem Insurance Rate Reduction For 2003 Employees:** At the November 5<sup>th</sup> meeting, Ms. McKillip submitted a request to allow employees that were hired in 2003 to move to the 85/15 rate. The Board decided by consensus to address that issue at the November 19<sup>th</sup> meeting (*please refer to page three, item two, "In The Matter Of Personnel Department Issues", of the Regular Meeting minutes dated November 5, 2007*). The cost to the County would not be greater than \$125,000.00. At the conclusion of ensuing discussion, a motion was made by Mr. Bagwell to maintain current rates. The motion was seconded by Mr. Trine and carried.
3. **Resumes For The Veterans Service Officer Position:** The resumes for the Veteran Service Officer Position are due to the Personnel Office by December 1, 2007. Copies of those resumes will be forwarded to the Board of Commissioners during their December 3<sup>rd</sup> meeting, and be reviewed during an Executive Session. During the Executive Session the list can be cut to three prospective employees. Interviews must be conducted during a public session.

4. **Resignation Of Civic Center Director:** The Johanning Civic Center Director, Kelli Austin, is resigning her position effective January 7, 2008. Ms. McKillip will wait for direction from the Civic Center Board before posting the position.
5. **Commissioner Appointments:** Ms. McKillip and Mr. Raver have reviewed and updated the Commissioner Appointment listings. The MS4 and GIS committees have been deleted since they are no longer in operation (*please refer to page three, item one, "In The Matter Of Personnel Department Issues", of the Regular Meeting minutes dated November 5, 2007*).
6. **Howard County Employee Christmas Party:** This event is being hosted by the Board of Commissioners and is scheduled for Friday, December 21, 2008, from 6:30 0 11:30 p.m., at the Johanning Civic Center. Memos are being distributed to the Howard County Offices.

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

Information Systems Administrator Jeremy Stevens presented the following issues for Board information and approval:

1. **Enhanced Cell Phone Service For Administration Center:** The enhanced cell phone service equipment has been installed and is operational (*please refer to page three, item one, "In The Matter Of The Information Systems Department" of the Regular Meeting minutes dated November 5, 2007*).
2. **CSI Contract:** Mr. Tribby has reviewed the changes made by Attorney Murrell to the Community Corrections contract with CSI, and agrees with the changes. This contract was previously approved at the November 5<sup>th</sup> meeting, subject to the modifications made by Mr. Murrell (*please refer to page three, item two, "In The Matter Of The Information Systems Department", of the Regular Meeting minutes dated November 5, 2007*).

#### **IN THE MATTER OF E-911 DEPARTMENT ISSUES:**

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

1. **Vendor Meeting:** There is a vendor meeting with A T & T at 1:00 p.m., today, to talk about the installation of the new consoles. The installation date for the consoles begins December 3, 2007.
2. **Uniform Request:** In the past, the County has provided uniform polo shirts for the E-911 dispatchers. Sheriff Talbert and Mr. Ramsey believe the dispatchers need a uniform shirt, pant and shoe, to give a more professional appearance. The uniforms would not be worn off-duty. Discussion ensued concerning the need for the uniform and the opportunities dispatchers have meeting with the public and representing the County's Emergency Department. A motion was made by Mr. Bagwell to approve a uniform for the E-911 dispatchers consisting of embroidered tan polo shirts and black striped pants for the E-911 dispatchers beginning in 2008. The motion was seconded by Mr. Trine and carried by AYE votes from Mr. Bagwell and Mr. Trine, with one NAY vote from Mr. Raver.
3. **Resolution No. 2007-BCCR-29-Transfers:** Mr. Ramsey requested the following E-911 transfers to continue operations through the end of the year as follows:

	<b>Transfer From</b>	<b>To:</b>	<b>Amount:</b>
<b><u>145</u></b>	<b><u>E-911 Services Fund</u></b>		
03216.00	Communication Sys Support	01124.00 PT Dispatcher	\$ 8,000.00
03216.00	Communication Sys Support	01125.00 Overtime	\$10,000.00

Resolution No. 2007-BCCR-29-Transfers was approved as submitted on a motion made by Mr. Bagwell, and seconded by Mr. Trine.

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

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

1. **Commissioner Salary Claims:** Salary, hourly and overtime claims payable November 21 and 30, 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 today, in the amount of \$927,715.55, were submitted, along with invoices by Dimensions Inc. and Minor Land Survey (EMA Reconstruction costs). The claims were approved as submitted on a motion made by Mr. Bagwell and seconded by Mr. Trine.
3. **Alt & Witzig Engineering Inc. Invoice:** Ms. Wells submitted an invoice from Alt & Witzig Engineering Inc., in the amount of \$2,200.00, for field and engineering services in connection with test borings, evaluations and reports for the EMA reconstruction site. The invoice is approved for payment with today's claims, by consensus, and a copy should be forwarded to the insurance company.
4. **Re-establishment Of Precincts:** Ms. Wells submitted State documents concerning the Re-establishment of Precincts that was addressed at the July 16<sup>th</sup> Commissioner Meeting (*please refer to page four, item one, "In The Matter Of Clerk Department Issues" of the Regular Meeting Minutes dated July 16, 2007*). Ms. Wells will meet with Clerk Mona Myers to determine the next step of the process, now that the State has reviewed the re-establishment documents.

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

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

1. **Integrity Business Communications Invoice:** Mr. Murrell submitted an invoice from Integrity Business Communications Invoice that is a change order of additional items to be reprogrammed for the Re-banding Project, in the amount of \$6,500.00. This invoice needs to be approved by the Board of Commissioners before being forwarded to Spring/Nextel. A motion was made by Mr. Bagwell to approve the change order authorize the President to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Trine and carried.
2. **Incumbent Acknowledgement:** This is an acknowledgement of the services of Integrity Communications for the Sprint/Nextel Re-banding Project to date, in the amount of \$67,000.00. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the Incumbent Acknowledgement invoice, and to authorize the President to sign on behalf of the Board of Commissioners.
3. **Delphi Delinquent Tax Matters:** Mr. Murrell submitted a copy of the proposed Settlement Agreement for the unpaid real and personal property taxes of Delphi before they filed bankruptcy. In substance the agreement provides, that in return for payment of the entire principal and possibly interest thereon, Howard County agrees to waive any tax penalties. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the Settlement Agreement with Delphi, and authorize President Raver to sign on behalf of the Board of Commissioners and Treasurer Lake to sign on behalf of the Treasurer's Office. Commissioner Trine commended Mr. Murrell for his diligence and hard work with Barnes & Thornburg in negotiating this Settlement Agreement.
4. **Animal Control Ordinance Draft:** Mr. Murrell and Mr. Oaks will be meeting with the Humane Society concerning the proposed Animal Control Ordinance Amendment. He hopes to have a draft ready for Board review soon.

**IN THE MATTER OF COMMISSIONER ISSUES:**

1. **Meeting With Dimensions Inc.:** The EMA Reconstruction Committee will be meeting with Dimension Inc. on Wednesday concerning the building's reconstruction.
2. **U.S. 31 Coalition:** Coalition members Mr. Dennis Faulkenberg and Ms. Laurie Maudlin, formerly employed by Ice Miller, have formed a company, Apian, and will be employed by the Coalition, instead of remaining with Ice Miller.
3. **Sharing Nursing Services:** Mr. Trine has met with Sheriff Talbert and Kinsey Director Jan Weaver concerning sharing nursing services. Both Mr. Talbert and Ms. Weaver have agreed to a trial sharing of nursing services until February 2008.
4. **New Radios For Law Enforcement:** As a City Enforcement Officer, Mr. Trine picked up his new radio from Integrity Communications. Integrity informed him that the older radios might not be picking up well because there are not enough remote antennas. At least three (3) remote antennas are needed to provide proper service, similar to the enhanced antenna used in this building for cell phone reception. Mr. Trine believes that the new radios (as part of the re-banding project) should be used for full time Law Enforcement personnel.
5. **Veterans Service Officer Monthly Report:** The monthly Veterans Service Officer Report for the month of October, 2007, was accepted on a motion made by Mr. Trine and seconded by Mr. Bagwell.
6. **Clerk's Office Storage Space:** Mr. Raver informed Mr. Bagwell of the decision to approve the area designated in the basement of the Government Center, formerly the EMA storage space, for storage of the Clerk Offices' records. Mr. Raver reminded Mr. Fross that the temporary walls will need to be moved.

There being no further business to come before the Board at this time, the meeting was adjourned at 11:08 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 Board of Commissioners Meeting November 19, 2007