

## **HOWARD COUNTY BOARD OF COMMISSIONERS MEETING DECEMBER 3, 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 19, 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 OFFICE CLOSING REQUESTS:**

The following Office Holders presented office closing requests as follows:

1. **Auditor's Office:** Auditor Ann Wells asks permission to close the second floor offices on Wednesday, December 12<sup>th</sup>, from 11:00 a.m. to 1:00 p.m. to hold their annual Christmas lunch. The Board of Commissioners is invited to attend.
2. **Assessor's Office:** County Assessor Jamie Shepherd asked permission to close the County Assessor and Center Twp. Assessor Offices on Monday, December 10<sup>th</sup>, from 11:15 a.m. to 1:15 p.m. for their Christmas luncheon.

A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the closing requests for the 2<sup>nd</sup> floor Administration Center offices and Assessor offices as submitted.

### **IN THE MATTER OF AN EAGLE SCOUT PROMOTION:**

Commissioner Dave Trine introduced Mr. Steven Martin to the Board of Commissioners. Commissioner Trine presented him with a Certificate of Recognition for achieving the rank of Eagle Scout, and Mr. Martin was congratulated by the Board. Mr. Martin thanked Mr. Trine and County Assessor Jamie Shepherd for attending the ceremony in Russiaville, as well as the Town of Russiaville, for their assistance to him during this project.

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

Highway Superintendent/Engineer Ted Cain presented the following issues for Commissioners' information and approval:

1. **2008 Materials & Supplies Bids:** Mr. Cain has reviewed the 2008 Bids that were opened at the November 19<sup>th</sup> meeting. Mr. Cain recommends that the Board accept all bids received with the exception of the fuel bid from North Central Coop: he would like to continue that bid under advisement. A motion was made by Mr. Bagwell to accept Mr. Cain's recommendation to accept all bids submitted with the exception of North Central Co-op, and continue that bid under advisement. The motion was seconded by Mr. Trine and carried.
2. **Personal Leave:** Mr. Cain informed the Board that he will be out of the office for his wife's surgery and the birth of his first grandchild. He will be in attendance at the December 17<sup>th</sup> meeting.

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

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

1. **Jail Population:** Currently there are three hundred two inmates (302) with forty-five (45) of them being females.

2. **Fugitives To Be Extradited:** Sheriff Talbert reported that there are fugitives in Florida, Kansas, Montana, and Arizona that need to be extradited.
3. **Thank You:** Sheriff Talbert expressed appreciation to Highway Engineer Ted Cain and Emergency Management Director Larry Smith for their quick response to the weather situation, this last weekend.
4. **Transport Vehicle:** The new transport van has been picked up from Conkle Pontiac.

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

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

1. **Case 12-CP-07:** One lot located in Wildwest Subdivision, located at 5521 South County Road 800 West, was approved on a motion made by Mr. Bagwell and seconded by Mr. Trine.
2. **Unsafe Building In West Liberty:** The Plan Commission Office received a message from the owner of the property located at 12541 East County Road 332 South, that the family would be contracting with a company for the removal of the building. The owner is currently being hospitalized and her family is taking care of this issue (*please refer to page three, item one, "In The Matter Of Plan Commission Issues", of the Regular Meeting minutes dated November 19, 2007*).
3. **Public Hearing For Proposed Zoning Ordinance:** The Public Hearing for the Proposed Zoning Ordinance will be held on Monday, December 17<sup>th</sup>. Mr. Boise reported that the Open House went well and that one hundred forty-six people had signed in. Several questions were answered and changes to the aerial photographs were requested.

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

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

1. **Clerk Storage Space In The Government Center:** With the help of the Inmate Work Crew, temporary walls and shelving have been installed and the storage space in the basement of the Government Center is ready for use by the Clerk's Office (*please refer to page seven, item six, "In The Matter Of Commissioner Issues", of the Regular Meeting minutes dated November 19, 2007*).
2. **Snow Equipment:** The Maintenance Department is in the process of preparing snow removal equipment for use this winter.
3. **Proper Procedure For Vomit Removal:** Mr. Fross needs clear direction from the Board as to the proper procedure for sickness waste removal. Personnel Director Wanda McKillip will meet with Mr. Fross to inform him of OSHA regulations as well as the County's procedure.
4. **A T & T Centrex Contract:** Mr. Murrell has made additional changes in the Centrex. The contract is to include Community Corrections Department's phone numbers, whose offices are now located in the Government Center. A Master Contract has also been received and with Mr. Murrell's changes, is ready for approval. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the Centrex and Master Agreements, with the changes as recommended by Mr. Murrell, and authorize the President to sign on behalf of the Board of Commissioners. The invoices that have been received by the Auditor's Office are to be held until a signed contract has been received by A T & T.

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

The Personnel Department Director Wanda McKillip submitted the following issues for Board information and approval:

1. **Veteran's Service Officer Interviews:** The Personnel Office has received six resumes for the Veteran's Service Officer's position. Copies have been made for the Board of Commissioners who will meet to review the resumes and choose three applicants. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to set an Executive Session for the express purpose of the review of applications for the

Veteran's Service Officer Position, for Thursday, December 6, at 4:00 p.m., to be held in Room 220D of the Administration Center.

2. **2008 Commissioner Appointments:** The following appointments expire December 31, 2007 and will need to be replaced or reappointed:

Board of Zoning Appeals	Dick Lee
Alcoholic Beverage Commission	Beth Harshman
Emergency Management Agency Council	Steve Laudenschlager
Convention & Visitors	Kelly Karickhoff
	Darin Patel
Heritage Museum	Brad Bagwell
	Larry Hinesley
Assessment Board of Appeals	Bill Sahn
	William Jones
Development Commission	
Drainage Board	
Public Library	Stan Ortman
Community Corrections	No Replacement Needed

3. **Anthem Open Enrollment:** The Anthem Open Enrollment packets have been distributed to eligible County Employees, and meetings will be held Tuesday and Wednesday with enrollment closing December 14<sup>th</sup>.

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

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

1. **Insight Service Agreement:** This Agreement with Insight is for internet service at the Courthouse and Kinsey Youth Center. There is also a possibility of having cable service at the Courthouse with the construction costs being waived. Mr. Murrell has recommended changes and will meet with Mr. Tribby to review them.
2. **CSI Contract:** This contract is for software for the Courts. Mr. Murrell will review the agreement and the contract will be resubmitted at the December 17<sup>th</sup> meeting.
3. **Administration Center Enhanced Service:** The enhanced service installed in the Administration Center is working well (*please refer to page five, item one, "In The Matter Of Information Systems Department Issues", of the Regular Meeting minutes dated November 19, 2007*).
4. **E-911 Consoles:** The new consoles for E-911 were delivered this morning and are in the process of being installed.

#### **IN THE MATTER OF CLERK'S OFFICE ISSUES:**

Howard County Clerk Mona Myers presented the following issues for Commissioners' information and approval:

1. **Pay Trust Contract:** Ms. Myers is submitting a contract from Front Line for the online processing that allows people to pay fines, fees, and tickets right over the counter. The agreement absorbs the associated costs so there is no cost to the County. Mr. Murrell has reviewed and revised the contract. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the contract with Front Line for the pay trust system and to authorize the President to sign on behalf of the Board of Commissioners.
2. **Notice Of Proposed Precinct Boundary Changes:** Ms. Myers will meet with Attorney Murrell and Auditor Wells to publish the necessary documents for the boundary change (*please refer to page four, item one, "In The Matter Of Clerk Department Issues" of the Regular Meeting Minutes dated July 16, 2007*).

#### **IN THE MATTER OF THE E-911 AGREEMENT WITH IVY TECH:**

Sheriff Talbert and Matron Ree Moon presented an agreement with Ivy Tech for training on the Crystal Reports Software Program. While attending the CISCO conference, in July, E-911 Coordinator Tony Ramsey was made aware of the Crystal Reports Software that would allow him to pull data from different programs not presently available to him. This agreement with Ivy Tech is for eight (8) hours of training. This training will be paid from Sheriff Commissary and E-911 funds. A motion was made by Mr. Trine to approve the Crystal Reports Training Agreement with Ivy Tech, and authorize the President to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Bagwell and carried.

#### **IN THE MATTER OF DONATIONS RECEIVED BY SHERIFF DEPUTIES:**

Sheriff Talbert informed the Board of Commissioners that there are times when donations are given to Deputy School Liaisons. These donations are then given to needy family (families) at Christmas time. Sheriff Talbert is concerned that a fund be created and designated for these donations to document receipts and expenditures. This fund would need to be established by an Ordinance, administered as a Commissary Fund, and reported to the Council on at least an annual basis. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve of the Sheriff's Benevolence Fund guidelines and forward the recommendation to the County Council at their meeting on December 11, 2007.

#### **IN THE MATTER OF THE ENHANCED DIAGNOSTIC SERVICES AT THE KINSEY YOUTH CENTER:**

Assistant Director of the Kinsey Youth Center Jeff Lipinski reminded the Board of Commissioners of their approval and recommendation of the Enhanced Diagnostic Service Plan (*please refer to page four, "In The Matter Of An Increase In Per Diem For Kinsey Youth Center's Diagnostic Services" of the Regular Meeting minutes dated October 15, 2007*). Kinsey has received approval from the County Council, and is ready to enter into a contract with Family Psychiatric Center (*please refer to page four, "In The Matter Of An Increase In Per Diem For Kinsey Youth Center's Diagnostic Services"*). Mr. Murrell and Director Jan Weaver have reviewed the Enhanced Service Agreement with Family Psychiatric Center and made several minor modifications. A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve the Enhanced Service Agreement, with the modifications, and authorize the President to sign on behalf of the Board of Commissioners.

#### **IN THE MATTER OF A REQUEST TO ESTABLISH A COFFEE VENDING SERVICE IN THE COURTHOUSE:**

Ms. Lori Sawyer and Mr. Jim Hutchins from Mac's Market brought a request to the Board of Commissioners, to establish an Espresso Bar Service in the Courthouse and the Administration Center. Mr. Hutchins presented his plan along with a menu of drinks available. At the conclusion of the presentation and discussion, a motion was made by Mr. Trine to take the request under advisement and do a survey with Office Holders and Department heads concerning interest in the project. Responses will be presented at the December 17<sup>th</sup> Commissioner meeting. The motion was seconded by Mr. Bagwell and carried.

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

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

1. **Commissioners' Salary Claims:** Salary, hourly and overtime claims payable December 7 and 14, 2007, in the amount of \$313,019.77 each, was approved for payment on a motion made by Mr. Trine and seconded by Mr. Bagwell.
2. **Commissioners' Operating Claims:** Operating Claims payable today, December 3, 2007, in the amount of \$505,056.61, were submitted. Ms. Wells asked that the Commissioners address a Community Corrections claim for kitchen supplies. Also, two invoices from Dimensions, concerning architectural services for the EMA reconstruction project, were submitted for payment, that were not included on the docket.

Auditor Wells also presented a claim from an office holder who attended a meeting on behalf of Howard County and wants to be reimbursed the full amount of the hotel room that is greater than the \$79.00 plus applicable taxes allowed by the County's travel policy. The full amount of the claim has been advertised. After discussion a motion was made by Mr. Bagwell to approve the claims as published, with the addition

of the two Dimensions invoices, as well as approval of the Community Corrections claim. The motion was seconded by Mr. Trine and carried.

A motion was then made by Mr. Bagwell, seconded by Mr. Trine and carried to recommend amending the travel policy to allow a higher hotel rate than allowed by the current Travel Policy if it has been pre-approved by the Board of Commissioners, and to revisit amending the travel policy to approve a rate at the government per diem.

3. **Treasure's Monthly Report:** The Treasurer's Monthly Report for the month ending October 31, 2007 was accepted on a motion made by Mr. Trine and seconded by Mr. Bagwell.

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

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

1. **Mobile Radio Claim:** In August, 2007, the Board of Commissioners asked Mr. Murrell to send a letter to Mobile Radio asking them to justify invoice #50299, in the amount of \$560.00, since the services rendered had not been requested by the E-911 Department. Mr. Murrell submitted a letter received from Mobile Radio in response, but the request outlined was not confirmed by Coordinator Tony Ramsey. This invoice will be tabled until the December 17<sup>th</sup> meeting.
2. **Barnes & Thornburg Invoice:** An invoice was submitted in the amount of \$6,560.24, for services rendered in the month of October, 2007. This includes services for the Continental Steel Superfund Site and Delphi bankruptcy matters. This invoice is approved for payment on a motion made by Mr. Bagwell and seconded by Mr. Trine.
3. **Keller & Heckman Invoice:** This invoice, in the amount of \$210.00, for Sprint/Nextel Rebanding matters, is approved to forward to Sprint/Nextel on a motion made by Mr. Bagwell and seconded by Mr. Trine.
4. **Ordinance No. 2007-BCCO-45:** This Ordinance amends Ordinance BCC-1999-01 and BCC-2005-52 restricting commercial use of certain electronic data, with the following paragraph.

"2. Pursuant to the provisions of IC 5-14-3-3(e), a person who makes a request pursuant to IC 5-14-3-3 and receives information from Howard County on disk or tape may not use such information for commercial purposes, including to sell, advertise, or solicit the purchase of merchandise, goods or services; or sell, loan, give away, or otherwise deliver such information obtained by the request to any other person for these purposes. For purposes of this Ordinance, the term "disk or tape" shall include any form of electronic transmission of the information requested where such information does not require manual re-entry by the recipient (e.g., emailing information on attached file)."

Ordinance No. 2007-BCCO-45 is approved on a motion made by Mr. Bagwell and seconded by Mr. Trine.

5. **Ordinance No. 2007-BCCO-46:** An ordinance of the Howard County Board of Commissioners amending Ordinance No. 2006-BCC-36 which provides for storm water management in new development and redevelopment in Howard County, Indiana, with the following amended Section 3.1A:

#### **"Section 3.1**

- A. Allowable Storm Water Release Rate (Q100 post to 0.3 cfs per acre - critical duration storm)
  - a. The developer shall submit detailed computations of runoff after development, redevelopment or new construction which demonstrate sufficient storm water storage to ensure that the 100-year return period storm of critical duration does not

exceed a release rate of 0.3 cubic feet per second per acre of development. The critical duration storm is that storm duration which requires the greatest storm water storage."

A motion was made by Mr. Bagwell, seconded by Mr. Trine and carried to approve Ordinance No. 2007-BCCO-46.

6. **Revised Animal Control Ordinance:** Mr. Murrell and Mr. Oaks are making progress on the Revised Animal Control Ordinance and plan to have a Draft ready for the Board to review in January, 2008. Mr. Murrell recommends a Public Hearing for this revision.

**IN THE MATTER OF COMMISSIONER ISSUES:**

1. **Proposed E-911 Uniform:** Uniforms for E-911 Dispatchers were approved by the Board of Commissioners at the November 19<sup>th</sup> meeting (*please refer to page five, item two, "In The Matter Of E-911 Department Issues" of the Regular Meeting minutes dated November 19, 2007*). The uniform designated for approval is in question and will be revisited at the December 17<sup>th</sup> meeting.
2. **Weights & Measurers Report:** The Weights and Measures Report for the month of October 15 to November 15, 2007, was accepted on a motion made by Mr. Bagwell and seconded by Mr. Trine.
3. **Migrant Housing At Hainlen Orchard:** Mr. Raver attended the final meeting pertaining to the Migrant Housing Grant, at Hainlen Orchard. The meeting went well and the owners of the orchard are happy with the new housing.

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

**HOWARD COUNTY BOARD OF COMMISSIONERS:**

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PAUL R. 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 Commissioner Meeting December 3, 2007