

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING SEPTEMBER 2, 2008

The Howard County Board of Commissioners met in Regular Session on Tuesday, September 2, 2008 at 8:30 a.m. in Hearing Room No. 338 of the Howard County Administration Center. Those in attendance included President Bradley Bagwell, Vice President David Trine, and Member Paul Raver. 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 Bagwell.

IN THE MATTER OF APPROVAL OF MINUTES:

The minutes of the Regular Commissioner Meeting dated August 18, 2008, having been previously submitted and reviewed, were approved on a motion made by Mr. Raver and seconded by Mr. Trine.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

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

1. **Jail Population:** The current inmate population at the Criminal Justice Center is three hundred forty-one (341) with fifty-three being females. Because the Kokomo Perspective published a warrant listing, there was an influx of new prisoners.
2. **X-Ray Scanner Repair:** A portion of the circuit board in the X-ray scanner at the Courthouse is in need of repair. Those repairs could cost between 3 to 4 thousand dollars. Sheriff Talbert will be looking for ways to pay for those repairs.
3. **Acceptance Of Donated Trailer:** The Taylor Township Trustee's Office would like to donate a trailer to the Sheriff's Department. Sheriff Talbert would like to accept the trailer for use by a second Inmate Work Crew he hopes to create for the summer of 2009. This trailer had originally been owned by the County when they had a Parks Department and does need some repair. A motion was made by Mr. Raver, seconded by Mr. Trine and carried to accept the donation of a trailer from the Taylor Township Trustee's Office.
4. **Disposition Of Scrapped Vehicles:** There are three wrecked Sheriff Vehicles that have been used for repair parts, at the EMA location. The Sheriff's Department would like to remove all wheels and fuel tanks, have them declared as junk and sell them to OmniSource for scrap metal. A motion was made by Mr. Trine, seconded by Mr. Raver and carried to declare the three vehicles as "worthless" according to IC 5-22-22-8, and dispose of them for use as scrap metal.
5. **Request For Inmate Work Crew:** Commissioner Trine passed along a request for the Inmate Work Crew to Sheriff Talbert. Sheriff Talbert will make the contact with the information obtained from Commissioner Trine.
6. **Recent Academy Graduate:** Sheriff Talbert introduced Deputy Ryan Reel who has recently graduated from the Police Academy. Deputy Reel spoke to the Board and informed them that he learned a lot at the academy and looks forward to working in his community. Before the Academy he worked two years as a Corporal at the Criminal Justice Center. Mr. Reel was congratulated and welcomed by the Board of Commissioners.
7. **Exit Interview:** The State Board of Accounts is finishing up their audit of the Sheriff's Department's records. They will be scheduling the exit interview soon.
8. **Sheriff Misconduct:** Sheriff Talbert called attention to the arrests of two County Sheriffs, in the last couple of weeks, commenting that it was unfortunate when so many of the State's County Sheriffs are good, hardworking people that have their County's best interests at heart. Sheriff Talbert does have confidence that we are able to police those who take the oath of office.

9. **Activated For Duty:** Head cook Donna Walker has been called to active service for an undetermined tour of service. Deputy Larry Sparks, a K9 handler for the Department has been called to active service for the third time. The K9 that he has been assigned to will need to be de-programmed and another handler trained. Jail Sergeant Kirkpatrick has also been called to active duty.

IN THE MATTER OF PLAN COMMISSION ISSUES:

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

1. **Dedication Of Real Estate For Public Street:** Attorney Conrad Maugans submitted a Dedication of Real Estate for Public Street on behalf of Viagra Inc. This Dedication is for vacant land located at 150 East County Road 140 North, Kokomo, Indiana 46901. This project is to extend North Street for FEDEX development purposes. The City Board of Works has previously approved this project. If the street is not constructed in two year's time, the dedication is void. A motion was made by Mr. Trine, seconded by Mr. Raver and carried to accept the Dedication of Real Estate as submitted.
2. **Unsafe Building At 914 West Alto Road:** Mr. Boise is still working with the Finance Company that owns the unsafe property at 914 West Alto Road, to mow the property. The Finance Company requested that the Unsafe Building Enforcement Order be released and Mr. Boise commented that it cannot be removed until the mowing issues are resolved.
3. **Unsafe Property Located At 1001 East Alto Road:** Mr. Bagwell reported that clean-up work is progressing at this location.

IN THE MATTER OF MAINTENANCE DEPARTMENT ISSUES:

Buildings and Grounds Assistant Superintendent Scott Reed submitted the following issues for Board information and approval:

1. **Superintendent Fross:** Mr. Reed reported that Superintendent Art Fross is home and awaiting additional word from the Doctor.
2. **Coils For Administration Center:** Mr. Reed has not received any word from Trane as to when the coils will be available.
3. **Light Globe Replacement At The Administration Center:** There is one more light globe that needs to be replaced. They had been damaged during a recent hail storm.
4. **Courthouse X-ray Scanner Equipment Repair:** Earlier in the meeting the Sheriff reported a needed repair to the x-ray machines at the courthouse (*please refer to page one, item two, "In The Matter Of Sheriff Department Issues" of these meeting minutes*). Mr. Reed reported that there is enough money left in their Cumulative Capital account, "Building & Structure Repair" line item to support the needed repairs to the x-ray Scanner.

IN THE MATTER OF PERSONNEL DEPARTMENT ISSUES:

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

1. **Addendum A To Eligibility And Benefits:** Addendum A has been submitted, reflecting the addition of the Howard County Recycling District employees to the County's Health Plan. A motion was made by Mr. Raver, seconded by Mr. Trine and carried to adopt the revised Addendum A, Eligibility and Benefits to the Anthem Insurance Plan.
2. **Employee Flu Shots:** The Health Department has received the flu vaccine and will begin administering shots to employees and their dependents on October 30th and 31st. Ms. McKillip will prepare a memo to be distributed to employees.

3. **New Intern:** The Personnel Office will be receiving a new intern through the Indiana University / Kokomo's intern program. She begins her term on Wednesday, September 3rd.
4. **Commissioner Salary Recommendations:** PAC Committee Salary Recommendations were submitted and distributed at the August 18th Commissioner meeting (*please refer to page three, item five, "In The Matter of Personnel Department Issues", of the Regular Meeting minutes dated August 18, 2008*). A motion was made by Mr. Raver to adopt the PAC Committee Recommendations for consideration by the Council for the Council's 2009 Budget Hearings. The motion was seconded by Mr. Trine and carried.
5. **Golf Outing To Benefit The Employee Holiday Party:** The Golf Outing on September 10th still has some openings. Any interested person can contact the Personnel Office.

IN THE MATTER OF INFORMATION SYSTEMS DEPARTMENT ISSUES:

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

1. **State QPA Pricing:** Mr. Tribby informed the Commissioners that he often takes advantage of the State's QPA Pricing, a discount offered from selected vendors to government agencies. The State has contracted with Dell Computers, and Mr. Tribby is able to purchase Dells through the State's QPA. Dell offers reimbursement to the State on computer purchases and Howard County received a reimbursement check in the amount of \$1,533.00.
2. **Comcast Service:** The latest problem with the internet service was addressed by Comcast, quickly. A dumpster in the alley had burned down, burning our copper wiring in the process. All the cabling was replaced by Comcast. Mr. Tribby is happy with the service and support received by Comcast. Earlier in the year Mr. Tribby was in contact with Comcast for a possible contract for service at the Kinsey Youth Center. He wanted to wait to determine what the service and repair would be like with Comcast. He is now satisfied and ready to move forward in service to Kinsey Youth Center. He has submitted a copy of the contract to Attorney Murrell and they will present it at the September 15th Commissioner Meeting.
3. **Court Hearings Concerning The City Of Kokomo's Annexation Project:** Mr. Tribby wanted to set the record straight concerning misinformation given during the Court Hearing of the City's Annexation Project. During the Court proceedings it was alleged that the Information Systems would not comply with the City's request for information. Mr. Tribby wanted to confirm that no required written information request was ever received from the City for the needed information.
4. **Budget Hearing Special Set-up:** Mr. Tribby's Department will be setting up special equipment for the recording of the 2009 Budget Hearings. Requests for copies of the recordings can be turned in at the Information Systems Department.

IN THE MATTER OF A REQUEST TO RESCIND A NO TRESPASS ORDER FOR THE HOWARD COUNTY COURTHOUSE:

Ms. Miriam Rutherford was in attendance concerning her request to rescind the previously issued No Trespass Order (*please refer to page four, "In The Matter Of A Request To Rescind A Trespassing Warrant" of the Regular Meeting minutes dated August 18, 2008*). Also in attendance was Deputy Officer Craig Trott, Security Officer for the Courthouse. After minimal comment from Ms. Rutherford, Officer Trott explained the sequence of events that precipitated issuance of the No Trespass Order. He also informed the Board of other No Trespass Orders she has received from other public buildings. Commissioner Bagwell directed Officer Trott to archive video of the incidents in question. Sheriff Talbert supports Officer Trott's actions and stated that this was not an isolated incident. He has received complaints by other entities, as well as reporting that she has also been a difficult inmate. A motion was made by Mr. Trine, seconded by Mr. Raver and carried to uphold Officer Trott's issuance of the No Trespass Order, and to allow Officer Trott to take whatever action is necessary.

IN THE MATTER OF THE VAN PURCHASE DISCLOSURE AGREEMENT FOR KINSEY YOUTH CENTER:

Kinsey Youth Center Director Brent Kelley submitted a Disclosure and Release Agreement between Erik's Chevrolet and Howard County indicating that the 2008 Chevrolet 15 Passenger van, VIN #1GAHG39K581210614 cannot be used as a

School Bus. It can only be used as a transportation van for minors and staff as "part of the daily activities involved with the juvenile detention facility". A motion was made by Mr. Raver, seconded by Mr. Trine and carried to approve the Disclosure and Release Agreement, and authorize the President to sign on behalf of the Board of Commissioners.

IN THE MATTER OF REQUEST TO CONSTRUCT A BURN TRAINING CENTER:

Emergency Management Agency Director Larry Smith introduced Mr. Doug Thomas from the Kokomo Fire Department, who submitted a request for the construction of a Burn Training Center. Mr. Thomas informed the Board that the Indiana Department of Homeland Security has divided the State of Indiana into ten districts for the purposes of training. This year the Governor told the Department of Homeland Security to release next year's Infrastructure Grant money and disperse it by the end of October (to be received in 2009). Howard County has the opportunity to receive \$50,000.00 which must be applied to expand and improve an existing fire training facility. The only qualifier as a training center is the rope training tower at the EMA site. He submitted a proposal to expand the rope training tower into a 50' X 40' concrete pad that holds overseas shipping size containers, stacking them and welding them together, then putting in doors and windows, to be used as a live smoking environment. The location of the training tower would be to the front of the EMA location, close to Berkley Street. Commissioner Raver asked if the parking was adequate. Commissioner Bagwell wondered if the proposed location would be the best location available. He proposes a better location would be south of the present rope tower, between the existing rope tower and the Emergency tower. At the close of ensuing discussion, a motion was made by Mr. Trine, seconded by Mr. Raver and carried to approve the placement of a Burn Training Unit at the proposed site between the present rope tower and the Emergency Tower, with the final decision of the placement to be made by the Board of Commissioners.

IN THE MATTER OF EMA RECONSTRUCTION PROJECT:

Commissioner Bagwell informed the Board that he met with Highway Engineer Ted Cain who is acting as the project manager of the EMA Reconstruction Project. Several decisions needed to be made including color of the exterior of the building (tan with brown trim). Mr. Bagwell signed two Application For Construction Design Release forms; the first is a Standard form, the second is for the foundation request. Mr. Bagwell's signature on the two forms was confirmed on a motion made by Mr. Trine and seconded by Mr. Raver. Mr. Smith reported that the steel will be delivered October 15th. Changes were discussed, and any item that is required by code, can be submitted to the insurance company for reimbursement of code upgrades. The Construction Contract has now been signed by all parties and delivered.

IN THE MATTER OF THE COMMUNITY CORRECTIONS ANNUAL REPORT:

Community Corrections Director Steve Maus submitted the Howard County Community Corrections Annual Report for the Fiscal Year July 1, 2007 through June 30, 2008. Mr. Maus quickly reviewed the report and it was accepted on a motion made by Mr. Trine and seconded by Mr. Raver.

IN THE MATTER OF CLAIMS AND REPORTS:

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

1. **Commissioners' Salary Claims:** The salary, hourly and overtime claims payable September 5 and 12, 2008, in the amount of \$337,929.59 each were approved on a motion made by Mr. Trine and seconded by Mr. Raver.
2. **County Operating Claims:** The Operating Claims payable today, in the amount of \$372,528.83, were submitted. Also submitted was an Emergency Claim for AIT Laboratories in the amount of \$6,930.00. Mr. Raver signed the claim as an Emergency Claim and the claim needs to be confirmed by the Board of Commissioners. A motion was made by Mr. Trine, seconded by Mr. Raver and carried to approve the claim for AIT Laboratories in the amount of \$6,930.00 as an emergency claim.

A motion was then made by Mr. Raver, seconded by Mr. Trine and carried to approve the September 2nd claims as submitted.

3. **Treasurer's Monthly Report:** The Treasurer's Monthly report for the month ending July 31, 2008 is accepted on a motion made by Mr. Trine and seconded by Mr. Raver.

IN THE MATTER OF A TOWNSHIP APPEAL:

Because Mr. Trine was acquainted with the appellant's family and felt it constituted a conflict of interest, Commissioner Raver acted as hearing officer for the appeal for Center Township, Kenetta Shuck. A motion was made by Mr. Raver, seconded by Mr. Trine and carried to uphold the Township Trustee's denial.

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

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

1. **CODESPEAR Purchase Agreement:** This standard Purchase Agreement is for the Mass Notification System using reverse E911, in the amount of \$24,150.00. A motion was made by Mr. Trine, seconded by Mr. Raver and carried to approve the purchase agreement with CODESPEAR in the amount of \$24,150.00, and authorize the President to sign on behalf of the Board of Commissioners. The system will be installed in forty-five (45) days.
2. **Appointment Of Attorney:** Officer Matt Roberson was subpoenaed for testimony in the Kirk & Davis disciplinary action Hearing in front of the Kokomo Board of Public Works. Officer Roberson needs to be represented by Counsel and Mr. Murrell recommends the services of Mr. Jim Austen from Logansport, Indiana. A motion was made by Mr. Trine, seconded by Mr. Raver and carried to approve the employment of Mr. Jim Austen from Logansport to represent Officer Matt Roberson.
3. **Lien Certificate Ready To File For Unsafe Property:** Mr. Murrell has prepared the Lien to impose on the unsafe property owned by Florence Johns for money paid by Howard County for the clean-up of the property.
4. **A T & T Centrex Contract:** Mr. Murrell has not received the signed copy of the Centrex contract with A T & T that was signed by the Board of Commissioners May 28th. Mr. Murrell informed the Board that follow up letters sent to Lorene Ehrlichman were sent back. In the mean time the Auditor's Office received the latest billing that was almost twice the contracted amount. We are in contact with the new representative who advised non-payment of the bill until the correction is made.

IN THE MATTER OF COMMISSIONER ISSUES:

1. **Weights & Measurers Report:** The Weights and Measures report for the month ending August 15, 2008 was submitted and accepted on a motion made by Mr. Raver and seconded by Mr. Trine.
2. **Howard Haven Appointment:** Commissioner Trine recommended to the Board the appointment of Jennifer Vary, Interim Superintendent, to the full-time Superintendent's position. Ms. Vary has been the interim superintendent and has been doing an excellent job. For the first time the Home is operating beyond full capacity and Ms. Vary is interested in the position of Superintendent. Commissioner Bagwell commented that she has proven her abilities. At the completion of discussion a motion was made by Mr. Raver, seconded by Mr. Trine and carried to appoint Ms. Jennifer Vary as the Superintendent for Howard Haven for the completion of the present term (*February 28, 2012, referring to page five, "In The Matter Of Citizens In Support Of Howard Haven" of the Regular Meeting minutes dated March 3, 2008*), retroactive to September 1, 2008.

There being no further business to come before the Board of Commissioners at this time, the meeting was adjourned at 10:27 a.m. on a motion made by Mr. Raver and seconded by Mr. Trine.

HOWARD COUNTY BOARD OF COMMISSIONERS:

BRADLEY J. BAGWELL, PRESIDENT

DAVID A. TRINE, VICE PRESIDENT

PAUL J. RAVEN, MEMBER

ATTEST:

ANN WELLS, AUDITOR

Howard County Board of Commissioner Meeting September 2, 2008