

HOWARD COUNTY BOARD OF COMMISSIONERS MEETING OCTOBER 17, 2011

The Howard County Board of Commissioners met in Regular Session on Monday, October 17, 2011, at 8:30 a.m. in Hearing Room 338 of the Administration Center. Those in attendance included President Tyler Moore, Vice President Paul Wyman and Member Bill Thompson. Also in attendance were County Attorney Larry Murrell and Auditor Ann Wells.

The meeting was called to order by Sheriff Rogers and conducted by President Moore. The Pledge of Allegiance was led by Commissioner Thompson, and Commissioner Wyman offered a word of prayer.

IN THE MATTER OF APPROVAL OF MINUTES:

The minutes of the October 3, 2011 Regular Meeting, having been previously submitted and reviewed, were approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.

The minutes of the October 7, 2011 Executive Session were submitted and approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.

The minutes of the October 14, 2011 Executive Session were submitted and approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.

IN THE MATTER OF DEPARTMENTAL REPORTS:

HIGHWAY DEPARTMENT:

1) Highway Department Engineer/Superintendent Ted Cain submitted the 2012 Annual Materials Bids "Notice To Bid", for the Board's approval. The bids need to be returned to the Auditor's Office no later than 8:00 a.m. on Monday, November 21, 2011, and will be opened at 8:30 on November 21st. A motion was made by Mr. Wyman to approve the Notice to Bid, Annual Materials 2012 bids, as submitted. The motion was seconded by Mr. Thompson and carried.

2) Mr. Cain reported on road closings as follows: the State just closed County Road 300 East going north, and there will be no official detour. The highway crew has trimmed the vegetation.

The State wants to shut down Touby Pike, but as they are not yet ready to begin the project, Mr. Cain will encourage them to postpone the road closing, keeping it open as long as possible.

County Road 300 East will be closed next year, for Airport expansion.

State Road 26 west is still closed.

PLAN COMMISSION:

1) All Certified mailings have been sent to the owner and interested parties of the property located at 2295 S. County Road 350 West, but there has been no response from the property owner. The Health Department will assist with clean up since it involves methamphetamines. All excavation bids must be turned in by 12:00 noon on November 7, 2011.

2) All ten purchase agreements for the flooded properties being purchased by Flood Mitigation Grants have been signed. Mr. Sheline confirmed to the Board of Commissioners that the sellers are NOT entitled to any relocation benefits, and all sellers were made aware of this when paperwork was signed. However, owners can walk away from the purchase agreement before they receive a check from the County. Mr. Sheline was informed from Ms. Jan Crider, that there has been an extension to the November 1st deadline. Mr. Sheline recommends, though, that we continue at the present pace. His office has not received a signed contract for the Matching Funds, but we have received the Flood Hazard Mitigation Grant money.

HEALTH DEPARTMENT:

Health Department Director Kent Weaver reminded the Board of Commissioners that local Health Departments can no longer have vaccines, at no cost, for children who are covered under a health insurance plan. Howard County has been invited by the State to be involved in a pilot study of a program allowing the Health Department to contract with Vax Care to bill insurance companies. Assistant County Attorney Alan Wilson has reviewed the

contract. Attorney Murrell informed the Board of Commissioners that the State Board of Accounts has not yet given approval of the changes made to this contract. IT Director Terry Tribby remarked that the ability to bill insurance companies means that the Health Department has to be HIPPA compliant. Stericycle Inc. is working with the Health and IT departments to help interpret the changes that need to be made. Mr. Tribby has a contact with Howard Regional Health to help us become compliant. Once the changes have been made, Mr. Tribby would like to have an audit done to guarantee we are compliant. Stericycle Inc. offers that service, and will keep current with the laws. With this program, a compliance officer and Technology Security officer is needed. Nurse Kathy Oldaker will be the compliance officer and Mr. Tribby would be the Technology Security officer for the on-line billing. This program begins in 2012. A motion was made by Mr. Wyman to approve the Vax Care contract subject to final legal review. The motion was seconded by Mr. Thompson and carried.

The MD Wise / Hoosier Alliance Agreement has been reviewed and approved by Assistant County Attorney Alan Wilson. This allows the Health Department to bill Medicaid for the uninsured vaccine recipients. Billing will be done by the Health Department and they have hired a person with billing experience. A motion was made by Mr. Wyman to approve the MD Wise/ Hoosier Alliance Participating Provider Agreement and authorize the President to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Thompson and carried.

PROSECUTOR DEPARTMENT:

Prosecutor Mark McCann submitted a request to approve a purchase contract for an iRecord audio and video recording system, in the amount of \$69,437, from Word Systems Inc. This system will be installed at the City Police Department and the Howard County Sheriff Department to audio and video record statements. As of July 2010, the Supreme Court stated that anyone who is in custody must be audio and video recorded. Our current system is inconsistent; this system would bring Howard County up-to-date, assisting law enforcement and prosecution, and making us compliant with the Supreme Court ruling. Also, this new system enables law enforcement offices to share information. Word Systems will be installing wire for the cameras, etc. The agreement includes a twelve month all parts warranty. Mr. McCann has a written statement from the City Police Department that should anything happen in this legislative session to prevent final payment to Word Systems from the Enforcement Forfeiture Fund (198); the City will underwrite 50% of the remaining costs of the system. Mr. McCann plans to pay the 1st portion of the payment from Fund 198, before the end of this year, and the City, if needed, would pay the second invoice in January, 2012. No General Fund money will be used for this purchase. In theory Fund 198 is shared between the Prosecutor, City of Kokomo, and Sheriff's Department. The City's share (\$20,000) has not been distributed to them, the past several years, and because of that, Mr. McCann believes that the City of Kokomo has \$40,000 already invested in the system. The agreement has been reviewed and approved by Attorney Murrell. A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to approve the purchase and agreement with iRecord, in reliance on the City's guarantee, and authorize the President to sign on behalf of the Board of Commissioners.

STORMWATER DEPARTMENT:

Stormwater Director Greg Lake informed the Board that last week, Commissioner Moore signed a Status Report for the State Revolving Fund Loan for the Kitty Run Project. He now asks the Board of Commissioners to ratify and confirm Mr. Moore's signature. A motion was made by Mr. Wyman to ratify and confirm Mr. Moore's signature on the most recent Kitty Run Status Report. The motion was seconded by Mr. Thompson and carried. All reports and other paperwork involving the Kitty Run Project and the State Revolving Fund Loan are kept on file in the Auditor's Office.

MAINTENANCE DEPARTMENT:

1. Superintendent Scott Reed informed the Board that ceiling heat in the offices on the north side of the Administration Center is being installed. Pumps have been ordered and will be in the end of October or beginning of November.
2. The Maintenance Department has held a meeting concerning Christmas Decorations. Indiana Brothers of Electrical Workers (IBEW) will be decorating the flagpole at the Courthouse, and Graves Sheet Metal will install a bracket on the roof of the Courthouse to anchor the strings (as a permanent fixture).
3. Because of water damage, all the carpet has been removed from the first floor of the Old Jail building. Currently the building is being used for storage. The walk-in freezer in the building is being used by the Criminal Justice Center kitchen and the Maintenance Department is creating storage space for non-perishable items.

4. The rooms in the Government Center to be used for the Community Service Office have been painted. The Maintenance Department is working on some minor electrical and plumbing issues, and is on track for having the offices move-in ready by January, 2012.
5. Mr. Reed has asked Waste Management for a proposal of trash removal from the County Government buildings and including the roll-off dumpster located at the Highway Department. The proposal is due in November.
6. The stove at the Old Jail building will be transferred to Howard Haven.

PERSONNEL DEPARTMENT:

1. Personnel Director Wanda McKillip submitted an Employee Memo concerning AFLAC meetings to be held Tuesday through Friday, October 25 – 28, 2011. Ms. McKillip would like to distribute the memo through the mail box system in the Auditor's Office, this week. The request was approved by consensus.
2. The final opportunity to receive the employee flu shot is Tuesday, October 25, and Friday October 28, at the Health Department. Ms. McKillip has prepared a memo to distribute from the Auditor's Office. The Commissioners approved the request and memo, by consensus.
3. The Indiana Heartland Federal Credit Union is holding their 5th annual Member Appreciation Day, for members only, on Friday, November 4, 2011, from 11a.m. – 5p.m. Fliers are printed and supplied by the Credit Union and the Personnel Department will distribute them. The Board gave approval by consensus.
4. The IUK Internship Fair in November 9, 2011, from 11a.m. – 1 p.m. The Personnel Office would like to attend the fair and sponsor a table, in order to interest possible interns. Ms. McKillip, as well as the Sheriff's Department and Kinsey Youth Center, have chosen interns for their offices, through the years, and several have become Howard County employees, as a result of their internship. It was the consensus of the Board to approve the involvement in the Internship Fair.
5. Medicare Part D letters for employees and their spouses, sixty-five and older, have been prepared for mailing. The dependent certification letters for Standard Life have been sent. Anthem health care renewals are expected, soon, for Open Enrollment in December. Information concerning the wellness program will be discussed by the Insurance Committee.

SHERIFF DEPARTMENT:

1. Currently there is discussion in the legislature with the Indiana Department of Corrections on how to reduce population in the DOC. The discussion includes remanding all Class D felons back to their local jails. The Indiana Sheriff's Association and local Board of Commissioners are concerning with this discussion. As of October 3rd, there are fifty-seven (57) Class D felons from Howard County, being held. This fifty-seven added to the three hundred thirty-one we currently have in our facility, would create an overcrowding problem. The Sheriff's Association will be talking with the legislators about this issue.
2. Sheriff Rogers has received complaints concerning of the barriers being too high at the intersections of County Road 200 East and 300 East in the State's construction zones on State Road 22. Sheriff Rogers has contacted the State with these complaints.

IN THE MATTER OF A TAX SALE REPORT FROM TREASURER MARTHA LAKE:

Ms. Lake took this opportunity to update the Board of Commissioners concerning the Tax Sale, last week. In July of this year there were one thousand one hundred sixty-six (1,166) properties listed for tax sale. Thanks in part to the media attention given to this issue that count decreased to six hundred thirty-five (635) in October, for the tax sale. From July 1, to October 11, the County collected in back taxes, found errors and removed properties, in the amount of \$2,085,959.99. The day of the sale one hundred and one (101) properties were sold, in the amount of \$371,056.51, about \$2.5 million coming back into the County. Five hundred thirty-four (534) troubled properties are left, about \$3.4 million in unpaid taxes on the books. At this time, Attorney Larry Murrell submitted three not-for-profit entities that have requested to receive property, as follows:

Family Service Association	322 East Jackson, Kokomo
Kokomo Rescue Mission / Open Arms	North Buckeye Street
Carver Center	1019 North Purdum Street

The County acquires a minimum price lien on all properties that do not sell at the Tax Sale, and a new 120 day redemption period begins. Assuming there will not be a purchase, tax sale certificates are issued to the County, for each parcel, and a process for the County to take tax deeds begins. If the Board wants the not-for-profit entities to move forward with purchase of the properties, the Auditor will have to give notice of several procedural issues within ninety (90) days of the tax sale. Mr. Murrell recommends that the Board obtain a Phase I environmental assessment on each parcel (\$1,500 each) and title searches. The only way to remove the taxes from these three parcels is for the County to take the deed, then, turn the properties over to the City of Kokomo. It was the consensus of the Board to review the issues involved, and submit a decision at the next Commissioner meeting.

IN THE MATTER OF CLAIMS AND REPORTS:

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

1. **Salary Claims:** Salary, hourly and overtime claims payable October 21, 28 and November 4, 2011, in the amount of \$352,254.24 each, was approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.
2. **Operating Claims:** Commissioners' Operating Claims payable today, in the amount of \$344,273.80, was approved on a motion made by Mr. Wyman and seconded by Mr. Thompson.
3. **Treasurer's Report:** The Treasurer's Monthly Report for the month ending September 30, 2011, was submitted and accepted on a motion made by Mr. Wyman and seconded by Mr. Thompson.
4. **2012 Holiday Schedule:** Auditor Wells submitted the 2012 Holiday Schedule for the Commissioners' review and approval. A motion was made by Mr. Wyman to take the schedule under advisement for further review, and make a decision at their next meeting. The motion was seconded by Mr. Thompson and carried. Commissioner Thompson commented that the Courts, as well as other offices, need this schedule as quickly as possible.
5. **Border Energy:** At the October 3rd meeting the Board of Commissioners took the Border Energy Gas Supply Proposal under advisement for further review (*please refer to page two, "In The Matter Of New Business", of the Regular Meeting minutes dated October 3, 2011*). It was the consensus of the Board to continue this issue.

IN THE MATTER OF COUNTY ATTORNEY ISSUES:

County Attorney Larry Murrell submitted an invoice for payment from Barnes and Thornburg, in the amount of \$932.88. The invoice is for services rendered through August 31, 2011, as it pertains to General Motors Corporation. The invoice was approved for payment on a motion made by Mr. Wyman and seconded by Mr. Thompson.

IN THE MATTER OF COMMISSIONER ISSUES:

COMMISSIONER THOMPSON:

Mr. Thompson reminded all that October is Breast Cancer Awareness Month, by wearing a pink shirt and tie.

Mr. Thompson recognized the efforts of C-COM Coordinator Nick Capozzoli, the E911 employees, and the Sheriff's Department for the fine job and long hours they are giving in this first year of the City and County combined E911 Department, C-COM. That recognition was seconded by Mr. Wyman and Mr. Moore.

COMMISSIONER MOORE:

The Board of Commissioners received a letter from the Department of the Air Force Reserve, regarding Grissom Air Reserve. Attached was a letter from John T. Ireland, Chief of Fire and Emergency Services, informing the Board of Commissioners that effective October 20, 2011, the Grissom ARB Fire Department will scale down their EMS responses to the local area, and will only be able to respond to the following situations:

- 1) Advanced Life Support (ALS) type responses
- 2) On request from the responding medic crew where our response would be required to provide immediate care to administer life saving treatment.

All other requests for assistance will be evaluated by the Senior Fire Officer (SFO) on duty and respond accordingly. This decision comes at the request of their legal team which cited that "...our practices exceed the intent of the Mutual Aid Agreements (MAA) authorized in law." Grissom will cut in half the distance they will normally dispatch crews and equipment, and will limit the situations to those where advanced life support measures are required. Lesser emergencies will now require local community based response. Sheriff Rogers commented that he has spoken to EMA Director Larry Smith about this situation. This will affect counties close to the Base, but Howard County has never used Grissom for "ordinary" emergencies. We have them in our contingency plan for an "emergency". If a military aircraft would go down in Howard County, we would secure the scene and deal with any casualties, and let Grissom do their job. According to Mr. Smith and the letter, it appears we can still request them for a "catastrophe". A motion was made by Mr. Wyman, seconded by Mr. Thompson and carried to accept the letter from the Department of the Air Force, Air Reserve.

Mr. Moore submitted a letter received from Stephen A. Nichols, Loss Prevention Management at Sears Holding Company, who also manages K-Mart. The letter thanked Emergency Management Agency Director Larry Smith and Assistant Chief Temple for participating in the National Fire Safety Month. On Saturday, October 8, 2011 the EMA command vehicle and two EMA patrol cars pulled into the parking lot of the Kokomo K-Mart store. "The officers taking part were professional and approachable, and they and their vehicles were a hit with the public."

The Board of Commissioners received a letter from the Indiana Criminal Justice Institute notifying them that the Governor's Commission for a Drug Free Indiana has reviewed and approved Howard County's Comprehensive Community Plan. This is the first step necessary for making allocations from the County Drug Free Communities Fund (Fund 120), allowing the Local Coordinating Council to access the fund. A motion was made by Mr. Wyman to accept the Comprehensive Plan approval letter sent by the Indiana Criminal Justice Institute. The motion was seconded by Mr. Thompson and carried.

Mr. Moore forwarded a request from a local resident concerning replacement of a damaged tree on the Courthouse Square. Maintenance Superintendent Scott Reed assured the Board that he has been in contact with the nursery that provided the tree, and they are looking for a replacement.

Attorney Murrell recognized the efforts of the Treasurer and Auditor Offices in the preparation and operation of the Tax Sale. He commented that it is a complicated process and they did a great job.

Appreciation was also given to Veterans Service Officer Robert Ladd and his department for the assistance and support given for the American Veterans Traveling Tribute that came to Kokomo, earlier this month.

There being no further business to bring before the Board of Commissioners at this time, the motion was adjourned at 10:05 a.m. on a motion made by Mr. Thompson and seconded by Mr. Wyman.

HOWARD COUNTY BOARD OF COMMISSIONERS:

TYLER O. MOORE, PRESIDENT

PAUL G. WYMAN, VICE PRESIDENT

WILLIAM THOMPSON, MEMBER

ATTEST:

ANN WELLS

Howard County Commissioners Regular Meeting October 17, 2011