

HOWARD COUNTY COUNCIL REGULAR MEETING MARCH 23RD, 2004

The Howard County Council met Tuesday, March 23rd, 2004 at 7:00 p.m., in Room 338 of the Howard County Administration Center. Those present were Council President Richard Miller, Council Vice President James Papacek and Council Members Dwight Singer, Stanley Ortman, Jeffrey Stout and Ronald Gilman. Also present were County Attorney Larry Murrell, Personnel Administrator Wanda McKillip, and Auditor Martha Lake. Councilman Leslie Ellison was unable to attend this meeting.

The meeting was called to order by Sheriff Marshall Talbert and conducted by President Richard Miller.

A moment of silence was held with a prayer to reflect on the passing of Candace Ellison, wife of Councilman Leslie Ellison. Mrs. Ellison passed away early this morning.

The minutes of the February 24th, 2004 Regular Meeting, having been previously reviewed, were approved as submitted on a motion made by Mr. Papacek, seconded by Mr. Singer, and carried.

IN THE MATTER OF ORDINANCE NO. 2004-HCC-09 ADDITIONAL APPROPRIATIONS:

Ordinance No. 2004-HCC-09 was read in full for the first time by Auditor Martha Lake, and read in full for the second time by President Richard Miller. Ordinance No. 2004-HCC-09 was presented and acted upon as follows:

APPROPRIATION ADDITIONS REQUESTED:

	<u>REQUESTED:</u>	<u>APPROVED:</u>
<u>001 HOWARD COUNTY GENERAL FUND:</u>		
<u>002 HOWARD COUNTY AUDITOR’S OFFICE:</u>		
1117 Part-time	\$ 7,000.00	Tabled
Total Auditor’s Office:	\$ 7,000.00	-0-

Auditor Martha Lake previously provided a letter to the Council regarding the status of the Part-time line item and detailing the need for additional money. The line item account has not been depleted; however the remaining money is only estimated to carry two to three more months. In 2004, \$11,000 was appropriated for part-time help and \$4,767.02 has been used to date. Comparably, approximately \$26,000 was spent in 2002 and \$23,000 in 2003 for part-time help.

The tremendous amount of daily work, crucial deadlines, and additional special projects will effect how quickly the money will be depleted. The recent remonstrance/petition, GASB 34 Project, and some software issues have created extra work. Also, County offices are working toward meeting the May 10th Spring Property Tax Deadline this year.

Many Auditor employees have been working for several years and have accrued a considerable amount of vacation time, personal leave, and sick leave time. Part-time help is often used to fill in when necessary.

Mrs. Lake requested an additional \$7,000 to help carry the Part-time account through the 2004-year. She has regretfully eliminated one part time person and is paying \$7.50 per hour to the one who remains. The hope is that \$18,000 will suffice for the year.

Because there was still some money available in the Part-time account, the Council wished to delay making a decision on the request at this time. Mr. Papacek made a motion to table the request. Seconded by Mr. Singer, the motion carried.

<u>023 HOWARD COUNTY BOARD OF COMMISSIONERS:</u>		
3625 Settlement – Tax Sale	\$ 1,500.00	\$ 1,500.00
Total Board of Commissioners:	\$ 1,500.00	\$ 1,500.00

There was a legal problem involving a Property Tax Sale matter. The property at 174 South 950 East was involved in a tax sale litigation case. A settlement check was erroneously issued to the property owner instead of the lending institution. The appropriation request of \$1,500.00 is to correct this error. The property owner was not entitled to the money and failed to return it after being requested to do so. The County Attorney filed a Small Claim against the property owner in an attempt to collect the money.

Mr. Singer made a motion to appropriate \$1,500.00 to Line Item 3625 in Account 023. Mr. Ortman seconded the motion, and it carried.

<u>032 SOIL AND WATER CONSERVATION OFFICE:</u>		
1115 Technical Part-time	\$ 4,671.00	\$ 4,671.00
2360 Supplies	\$ 575.00	\$ 575.00
3212 Postage	\$ 300.00	\$ 300.00
3214 Telephone	\$ 400.00	\$ 400.00
3252 Copier Lease	\$ 1,800.00	\$ 1,800.00
Total Soil and Water Conservation Office:	\$ 7,746.00	\$ 7,746.00

Soil and Water Conservation District Board Vice Chairman Scott Maple’s gave a unique presentation. Jokingly told that he would not be allowed to speak unless he recited a poem, Mr. Maple performed a grand rendition of “Casey at the Bat” complete with theatrical gestures. His performance received a round of applause.

In a unified effort with all county departments last year the SWCD cut their budget for 2004 at the request of the County Council. In a further attempt to save money, an existing position was changed to part-time work on an as needed basis. Mr. Calvin Hartman performs part-time technical work by helping with surveys and creating engineering designs for projects. Recently SWCD discovered there is not enough money in the Technical Part-time account to cover all of the hours that Mr. Hartman needs to work.

Mr. Singer asked how much grant money was received. Mr. Maple estimated that the total money received is approximately \$60,000. Mr. Maple said if the amount of grant money has an influence on the Council’s decision, he offered to return to the next meeting with information on the type of grants and exact numbers.

Mr. Miller questioned the reason for part-time technical work. Mr. Maple explained that producers sign up for certain programs as they become available. The survey and design work must be completed in order for the money to be released for the various projects. In essence Mr. Hartman’s design work allows the SWCD to receive grant funding. If the design work cannot be completed, then SWCD will not receive the funding.

Mr. Miller recalled that most everything in the initial budget request was zeroed out. Auditor Martha Lake stated only the salaries for the Secretary, Office Manager, Resource Conservationist and Technical Part-time were left in the budget request. The original request for Technical Part-time was \$5,329.00; the request for \$4,671.00 would bring the year to date total to \$10,000. Mr. Maple anticipated that the total request of \$7,746.00 would carry the Soil and Water Conservation Office through to the end of the 2004-year.

Mr. Papacek made a motion to approve an appropriation of \$7,746.00 to the line items as read. Mr. Ortman seconded the motion, and it carried.

Total General Fund:	\$ 16,246.00	\$ 9,246.00
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020 HOWARD COUNTY SHERIFF’S DEPARTMENT ACCIDENT REPORT FUND:

3230	Radar Certifications	\$ 1,300.00	\$ 1,300.00
4710	Computer Equipment	\$ 806.00	\$ 806.00
Total Accident Report Fund:		\$ 2,106.00	\$ 2,106.00

Sheriff Marshall Talbert requested \$1,300.00 for Radar Certifications from the Accident Report Fund. The radars are required to be tested and certified each year by a FCC Licensed Technician. Mr. Miller did not recall Radar Certifications being mentioned in the past. Mr. Miller asked what account previously paid the cost for the Radar Certifications. Sheriff Talbert stated that the cost might have been paid out of the Equipment line item on the budget. However, the Sheriff plans to pay any costs related to traffic safety, speed enforcement, or reduction in accidents out of 020 Accident Report Fund, rather than Account 001 Howard County General Fund.

Regarding the request in Line Item 4710: The Indiana State Police recently made changes to the Accident Report forms. The appropriation of \$806.00 would pay for a software program named Easy Street. This is a drawing program used to complete the diagram on an Accident Report instead of manually drawing it on paper.

Mr. Stout made a motion to appropriate \$2,106.00 to the line items listed above. Seconded by Mr. Papacek, the motion carried.

137 HOWARD COUNTY HEALTH DEPARTMENT – AIDS FUND:

2360	Supplies (Materials)	\$ 103.81	\$ 103.81
Total Health Department Aids Fund:		\$ 103.81	\$ 103.81

Department of Health Executive Director Kris Conyers explained that \$103.81 is left over from last year’s money in the 2003 Indiana Aids Fund. This particular grant agreement states that any unspent money needs to be returned to the State. Because it is such a small amount of money, the Health Department requested and received approval to utilize the remaining \$103.81. The 2003 grant award was extended until April 1, 2004 to facilitate the spend-down.

Mr. Ortman made a motion to appropriate \$103.81 to Line Item 2360 in Account 137. Mr. Singer seconded the motion, which carried.

150 HOWARD COUNTY CUMULATIVE CAPITAL DEVELOPMENT FUND:

000 HOWARD COUNTY INDIVIDUAL DEPARTMENT REQUESTS:

4600	Building & Repair – Emergency Management	\$ 42,190.00	\$ 42,190.00
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Emergency Management Agency Director Larry Smith said it was assumed that the new mobile command center semi tractor, trailer, and 350 kw generator could be stored outside. However, some unexpected problems occurred this past winter season that proved the equipment needs to be protected from weather elements. The existing E.M.A. building located at the County Highway Department is not large enough to contain the equipment. The total overall size of the building needs to be 24’ wide x 98’ long. Mr. Smith obtained estimates to enlarge the building, which will be heated. The lowest estimate received was from Hinkle Construction in the amount of \$37,890.00 plus \$4,300.00 for electrical work for a total amount of \$42,190.00.

Mr. Papacek made a motion to appropriate \$42,190.00 to Line Item 4600 in Account 150. Seconded by Mr. Singer, the motion carried.

4730	Computer Upgrade -- Prosecutor	\$ 31,655.00	\$ 31,655.00
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(See page 6, February 24th, 2004 minutes, “In the Matter of New Computers for Prosecutor’s Office” for related discussion) This issue was presented and discussed at the previous Council meeting. There being no questions or comments, Mr. Singer made a motion to appropriate \$31,655.00 to Line Item 4730 Computer Upgrade – Prosecutor. Mr. Ortman seconded the motion, and it carried.

4731	Postage Machine – Admin. Center	\$ 6,400.00	\$ 6,400.00
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(See page 6, February 24th, 2004 minutes, “In the Matter of New Digital Mailing Machine” for related discussion) This issue was presented and discussed at the previous Council meeting. There being no further comments, Mr. Papacek made a motion to appropriate \$6,400.00 to Line Item 4731 Postage Machine – Administration Center. Seconded by Mr. Gilman, the motion carried.

Total CCD Fund:		\$ 80,245.00	\$ 80,245.00
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169 HOWARD COUNTY SHERIFF’S DEPT. CONTROLLED SUBSTANCE EXCISE TAX FUND:

3215	Vehicle Lease	\$ 537.35	\$ 537.35
Total Controlled Substance Excise Tax:		\$ 537.35	\$ 537.35

The money in this fund is generated when people possessing controlled substances are arrested and tax is charged on the amount of money that the drugs represent. The money is placed in a fund in Indianapolis. Sheriff Talbert applied for Howard County’s share of the money and it has been received. The money is earmarked to prevent drug use. The Sheriff’s Department uses this money to accommodate paying the lease on a vehicle from Button Dodge Inc. that is utilized by the County Drug Task Force.

Sheriff Talbert presented an additional check in the amount of \$721.95 received from the State to be deposited in Account 169.

Mr. Stout made a motion to appropriate \$537.35 to Line Item 3215 Vehicle Lease in Account 169. Mr. Singer seconded the motion, which carried.

199 HOWARD COUNTY SHERIFF’S DEPARTMENT GENERAL CONTRIBUTIONS FUND:

2360	Supplies	\$ 689.35	\$ 689.35
Total General Contributions Fund:		\$ 689.35	\$ 689.35

Sheriff Talbert explained the \$689.35 is money left over from a previous grant received from Wal-Mart to purchase public relations materials. Key chains and various other items will be purchased to be distributed by the Sheriff’s Department booth during the Howard County Fair in July, 2004.

Mr. Papacek made a motion, seconded by Mr. Gilman and carried, to appropriate \$689.35 to Line Item 2360 Supplies in Account 199.

515 HOWARD COUNTY SHERIFF’S DEPARTMENT MISDEMEANANT GRANT FUND:

4710	Equipment	\$ 8,392.00	\$ 8,392.00
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Sheriff Talbert explained this money would be used to pay for an aluminum prisoner transport insert from Mavron, Inc. in Warsaw, IN. The cost of \$8,392.00 would be paid from the Misdemeanant Grant Fund. The insert has four (4) separate compartments, cargo doors on both sides, an intercom system for communications between the sheriff deputy and prisoners, and firearm security lock in the front compartment of the van.

Recently the Sheriff demonstrated a similar insert to the Hamilton and Tipton County Sheriff Departments. Hamilton County purchased four units and Tipton County purchased one unit.

Mr. Papacek made a motion to appropriate \$8,392.00 to Line Item 4710. Seconded by Mr. Singer, the motion carried.

Total Misdemeanant Grant Fund:		\$ 8,392.00	\$ 8,392.00
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IN THE MATTER OF SALARY ORDINANCE NO. 2004-HCC-10 – AMENDING THE EXISTING SALARY ORDINANCE FOR 2004:

A motion was made by Mr. Papacek, seconded by Mr. Stout, and carried to approve Amended Salary Ordinance 2004-HCC-10 as read. The amended salaries, any changed position titles and all other pertinent information is shown as follows:

POSITION/NUMBER/SALARY		REQUEST:	APPROVED:	YTD:
<u>001 HOWARD COUNTY GENERAL FUND:</u>				
<u>002 HOWARD COUNTY AUDITOR’S OFFICE:</u>				

1117	Part-time	Originally \$11,000	+\$ 7,000.00	Tabled	\$11,000.00
032	<u>SOIL AND WATER CONSERVATION:</u>				
1115	Technical Part-time	Originally \$5,329	+\$ 4,671.00	\$ 5,329.00	\$10,000.00

(Below, 2004 salaries approved by the Board of Commissioners on January 5th, 2004 for Fund 145)

Auditor Martha Lake stated that the Board of County Commissioners appropriate the 911 Fund. These funds were appropriated in January 2004, and are being included in the Salary Ordinance at this time for Council approval. The salaries were paid at the same rate in year-2003.

145 HOWARD COUNTY 911 ENHANCEMENT SERVICES FUND:

1110	Communications Director	\$31,666.00	\$31,666.00
1111	Asst. Communications Director	\$30,144.00	\$30,144.00
1112	Pt. Time Dispatcher	\$15,000.00	\$15,000.00
1113	Shift Supervisor	\$29,644.00	\$29,644.00
1124	Part-time	\$10,000.00	\$10,000.00
1125	Overtime	\$30,000.00	\$30,000.00

IN THE MATTER OF HOWARD HAVEN:

Interim Co-Managers Joyce Colburn and Deborah France invited the Council to schedule a date and time to attend a luncheon and tour at Howard Haven. The date was set for **Tuesday, April 27th, 2004** by consensus.

IN THE MATTER OF PERSONNEL ADMINISTRATOR ISSUES:

Personnel Director Wanda McKillip presented the following issue for Council review and approval:

1. **Employment Certification:** The surviving spouse of the late Councilman James K. Shearer is entitled to a retirement benefit due to her husband's years of service. In reviewing the records, Mrs. McKillip found that Mr. Shearer should have been covered by PERF while serving as a County Commissioner from 1988 to April 17, 1989. Mrs. McKillip asked the County to certify Mr. Shearer's service in order for Mrs. Shearer to receive the retirement benefit.

Mr. Papacek made a motion to authorize the Council to certify Mr. James K. Shearer's employment with Howard County from 1988 to April 17, 1989. Mr. Stout seconded the motion, which carried.

A note was acknowledged from Mrs. Barbara Shearer thanking the Council for their support following the death of her husband, Mr. James K. Shearer.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

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

1. **Commissary Report:** The Commissary Financial Report for the month of February 2004 was distributed to Council members.
2. **Prisoner Accommodation:** Transcor America, Inc. is a private enterprise that hauls prisoners and fugitives across the United States. Transcor stopped at the jail at approximately 2:30 a.m. on February 29th, 2004 and requested lodging for four prisoners. The jail staff permitted the prisoners to be incarcerated at the jail. They stayed until 12:00 p.m. the next day. Transcor paid the Howard County Sheriff's Department \$140.00 in cash for accommodating the prisoners. Sheriff Talbert turned the cash in to the Auditor to be deposited in the General Fund.
3. **AFIS Service Contract:** (See page 7, February 24th, 2004 minutes, "In the Matter of Sheriff Department Issues", Item 7, for related discussion) NEC Solutions (America), Inc. sent a follow up letter regarding that the Indiana Criminal Justice Institute would no longer provide funding for livescan maintenance after April 30th, 2004. Sheriff Talbert commented that the cost for repairs to the system would be astronomical without a service contract. He would like to purchase the maintenance services offered Monday through Friday at a price of \$8,136.00 for the period of May 1st, 2004 to April 30th, 2005. Sheriff Talbert plans to pay for the service contract out of the Misdemeanor Grant Fund for the 2004-year and then include the cost in a line item when preparing the budgets for 2005.

The current fingerprint card system is estimated to be about four years old and is in the process of being upgraded. Sheriff Talbert commented that this is a very unique, high-tech machine and it would be very difficult to find anyone locally to make repairs to it. The Sheriff advised that this issue would be presented at the next Council meeting in April 2004.

4. **Training Seminar:** A Detention Equipment and Security Systems Training Seminar will be hosted by The Pauly Jail Building Company Team in Indianapolis on **Wednesday, April 14th, 2004**. Sheriff Talbert invited Council members, Commissioners, County Attorney, or anyone interested to attend the seminar. The keynote speaker will be Gary Shelton, Deputy County Administrator, from Scott County, Minnesota. The presentation is titled, "Jail Transition & Project Development – A County Perspective".

5. **Inmate Population:** The inmate population at the jail reached 320 this week. A number of people went to court in the last two days, which caused a slight decrease in the number of inmates. Sheriff Talbert proposes meeting with Judges to discuss bond issues and to focus on some minor charges. If the jail population remains high, the County will be forced to take measures to resolve the issue. Captain Harold Vincent has suggested a quick feasible solution would be to install double bunking in Unit 6. This would add 14 beds at a cost of about \$12,000.00. Sheriff Talbert said he is going take a look at the Misdemeanant Grant Fund to see if there is enough money to pay for this project.

There being no further business to come before the Council, Mr. Papacek made a motion to adjourn. The motion was seconded by Mr. Stout and carried. The meeting adjourned at 8:02 p.m.

HOWARD COUNTY COUNCIL:

Richard H. Miller, President

James Papacek, Vice President

Ronald Gilman, Councilman

Dwight Singer, Jr., Councilman

Leslie Ellison, Councilman

Stanley Ortman, Councilman

Jeffrey Stout, Councilman

Attest:

MARTHA J. LAKE, AUDITOR
County Council Minutes, March 23rd, 2004