

HOWARD COUNTY COUNCIL REGULAR MEETING MARCH 22nd, 2005.

The Howard County Council met Tuesday, March 22nd, 2005 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, Leslie Ellison, and Joseph Pencek. 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 Richard Miller.

The minutes of the February 22nd, 2005 Regular Meeting, having been previously reviewed, were considered. Mr. Singer made a motion, seconded by Mr. Stout, to approve the minutes as presented. The motion carried.

THE MATTER OF COUNCIL OPENING COMMENTS:

Mr. Ellison had the opportunity to attend the Jail Medical Conference on March 4th, 2005 in Indianapolis and commented that he obtained a lot of valuable information.

Mr. Singer congratulated Mr. Miller on the birth of his grandchild and expressed sympathy to Auditor Ann Wells for the loss of her mother.

ORDINANCE NO. 2005-HCC-11 - ADDITIONAL APPROPRIATIONS:

Ordinance No. 2005-HCC-11 was read in full for the first time by Auditor Ann Wells, and read in full for the second time by President Richard Miller. Ordinance No. 2005-HCC-11 was presented and acted upon as follows:

APPROPRIATIONS REQUESTED:

150 Howard County Cumulative Capital Fund

000 Howard County Maintenance

04721.00	Court House Repair	\$	3,200.00	\$	3,200.00
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Maintenance and Grounds Superintendent Thomas Harrison submitted a letter requesting money from the Cumulative Capital Development Fund to purchase four (4) new ports to install additional telephone lines in the Courthouse. The ports cost \$800.00 each for a total of \$3,200.00.

Mr. Papacek made a motion to appropriate \$3,200.00 to Line Item 04721.00 from 150 Howard County Cumulative Capital Development Fund. Mr. Ortman seconded the motion, and it carried.

000 Kinsey Youth Center

04335.00	Vehicle Purchase	\$	30,000.00	\$	-0-
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Kinsey Youth Center Director Jan Weaver submitted a request for \$30,000.00 out of the Cumulative Capital Development Fund to purchase a vehicle. This request was inadvertently omitted in December 2004 when departmental requests for CCD Funds were considered. The new vehicle would replace the current 1996 Ford Aerostar Van with 80,000 miles, which has various mechanical problems.

04335.01	Building Repair	\$	2,140.00	\$	-0-
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Kinsey Youth Center Assistant Director Jeff Lipinski explained that the outdoor lighting behind the building is no longer working. In order to gain access to repair the wiring, an electrical wall pack must be moved from behind the razor wire. The cost to move the wall pack is \$1,310.00 and repairs to the outside light pole is \$830.00 for a total cost of \$2,140.00.

The Council said most of the money available in the Cumulative Capital Development Fund for the year 2005 has been designated. The Council was hesitant to commit any additional funding until they have information regarding what the Legislature is going to do and how it will affect county finances.

Mr. Singer asked whether the Kinsey Youth Center has a maintenance fund. Kinsey Youth Center Director Janet Weaver confirmed there is some money available in the Repairs on Buildings and Structures line item but the cost of the electrical repairs was not anticipated when the budget was projected for the 2005-year. Ms. Weaver was concerned that taking \$2,140.00 out of the line item would create a shortage of money for any future repair work.

Mr. Papacek suggested deferring the expenses until the Council has further knowledge of how much funding is going to be available to the county. Mr. Papacek made a motion to table the request for \$30,000.00 to purchase a vehicle until the April 26th, 2005 meeting; and request that the cost of \$2,140.00 to repair the outdoor lighting to be paid out of the Repairs on Buildings and Structures line item for the Kinsey Youth Center. Mr. Ellison seconded the motion, which carried.

Total Cumulative Capital Fund	\$ 35,340.00	\$ 32,00.00
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<u>006</u>	<u>Howard County Cumulative Bridge Fund</u>		
32250.00	Repair by Contract	\$ 200,000.00	\$ 200,000.00
33718.00	B-129 Webster Street	\$ 50,000.00	\$ 50,000.00
33719.00	B-157 CR 125	\$ 90,000.00	\$ 90,000.00
Total Cumulative Bridge Fund		\$ 340,000.00	\$ 340,000.00

Mr. Ted Cain, Howard County Highway Engineer/Superintendent, was not able to be present for the meeting. Mr. Cain previously contacted Council members to discuss his requests.

Mr. Ortman made a motion to appropriate \$340,000.00 to the line items listed above in 006 Howard County Cumulative Bridge Fund. Seconded by Mr. Ellison, the motion carried.

<u>105</u>	<u>Howard County Adult Probation User Fee Fund</u>		
01119.00	Overtime - Superior Court I	\$ 3,222.00	\$ 3,222.00
03263.01	Service Contract - Superior Court III	\$ 1,522.00	\$ 1,522.00
Total Adult Probation User Fee Fund		\$ 4,744.00	\$ 4,744.00

Line Item 01119.00: At the January 25th, 2005 Council meeting Judge William Menges, Howard Superior Court I, talked about accumulation of overtime. The Court Reporter has accrued about 247 hours of compensatory time. The Federal Wage and Hour Division has established that only 240 hours can be accumulated. Judge Menges submitted a request for an additional appropriation of \$3,222.00 to Overtime from the Howard County Adult Probation User Fee Fund to compensate the Court Reporter with overtime pay.

Mr. Papacek made a motion to allocate \$3,222.00 to 01119.00 Overtime – Superior I from 105 Howard County Adult Probation User Fee Fund. Mr. Singer seconded the motion, which carried.

Line Item 03263.01: Judge Douglas Tate, Howard Superior Court III, received an invoice from Beckley Office Equipment for renewal of a Maintenance Agreement for a photocopier during the period of 10/31/04 through 10/31/05. Initially Judge Tate assumed the renewal agreement would be paid by the Adult Probation Office and the money was not requested in the budget for 2005.

Mr. Papacek made a motion to appropriate \$1,522.00 to Line Item 03263.01 in Fund 105 as read. Mr. Singer seconded the motion, and it carried.

<u>125</u>	<u>Howard County Prosecutor Title IV-D Incentive Fund</u>		
01115.00	Part-Time / Overtime	\$ 5,000.00	\$ 5,000.00
Total Title IV-D Incentive Fund		\$ 5,000.00	\$ 5,000.00

Howard County Prosecutor James R. Fleming presented checks to be placed into the General Fund in the amount of \$18,000.00 from money generated from the Bad Check Program and \$1,500.00 from fees collected for photocopies. Mr. Singer made a motion to accept the checks into the General Fund. Mr. Ellison seconded the motion, and it carried.

Mr. Fleming reported there is balance of approximately \$25,000.00 to \$35,000.00 in the account. The money comes from the State and Federal Government to be used for the collection of child support. Due to the large number of cases, a lot of data must be entered into the computer. Mr. Fleming requested an additional appropriation of \$5,000.00 to continue paying pay part-time personnel to update ISET's computer program regarding child support collection.

Mr. Papacek made a motion to approve an additional appropriation of \$5,000.00 to Line Item 01115.00 in 125 Howard County Prosecutor Title IV-D Incentive Fund. Seconded by Mr. Stout, the motion carried.

<u>182</u>	<u>Howard County Sheriff Department LEEF Training Fund</u>			
03213.00	Training	\$	561.00	\$ 561.00
Total LEEF Training Fund		\$	561.00	\$ 561.00

Sheriff Talbert said money in this account is generated from the fees paid to the County Clerk's Office for tickets. There were 187 tickets collected at \$3.00 each, for a total of \$561.00. The money is used to help offset training costs.

Mr. Singer made a motion, seconded by Mr. Ellison and carried, to appropriate \$561.00 to Line Item 03213.00 Training in 182 Howard County Sheriff Department LEEF Training Fund.

<u>198</u>	<u>Howard County Prosecutor Law Enforcement Fund</u>			
02321.00	Gasoline, Oil & Lubricants	\$	800.00	\$ 800.00
Total Law Enforcement Fund		\$	800.00	\$ 800.00

Howard County Prosecutor James R. Fleming provided the Council with a status report on the Check Deception Program. He explained that the request for \$800.00 is for a change in the title and not a new appropriation.

Mr. Papacek made a motion to allocate \$800.00 to Line Item 02321.00 Gasoline and change the line item title to Gasoline, Oil & Lubricants in 198 Howard County Prosecutor Law Enforcement Fund. Mr. Singer seconded the motion, which carried.

Additional Commentary: Mr. Fleming reported that the County has approximately six to eight unsolved murder cases. The turn around time to get DNA testing completed is six months to one year. Two or three murder cases may not be solved, but some of the suspects might be eliminated if the County would hire a private company to perform DNA testing. One sample of DNA testing costs more than \$3,000.00. Mr. Fleming has already committed to one DNA test and has identified the cost as "additional witness fees". Mr. Fleming advised the Council that he might need to request additional money out of the General Fund for further DNA testing if he is unable to find the money in other accounts.

<u>515</u>	<u>Howard County Sheriff Department Misdemeanant Fund</u>			
03726.00	Automobile Customization	\$	21,000.00	\$ 21,000.00
Total Misdemeanant Fund		\$	21,000.00	\$ 21,000.00

Sheriff Talbert said the current SWAT truck is an old van style ambulance. The storage compartments of the truck were designed to contain medical supplies and not SWAT equipment. Sergeant Tim Martin drafted plans to design the compartments to specifically accommodate the SWAT Team and their equipment. The plans were provided to the following two companies for price quotes:

Renewed Performance Incorporated	\$29,864.00
Delphi Body Works, Inc.	\$20,615.00

Sheriff Talbert recommended the price quote from Delphi Body Works, Inc. in the amount of \$20,615.00, to be paid out of the Sheriff's Department Misdemeanant Fund. Sergeant Martin said the conversion would take

approximately six to eight weeks. The Sheriff's Department has two new radios available for the truck, alleviating the need to purchase additional radio equipment.

Mr. Papacek made a motion to appropriate \$21,000.00 to Line Item 03726.00 Automobile Customization in 515 Howard County Sheriff Department Misdemeanor Fund. Mr. Stout seconded the motion, which carried.

TOTAL ADDITIONAL APPROPRIATIONS ALL FUNDS \$ 407,445.00 \$ 375,305.00

IN THE MATTER OF RESOLUTION NO. 2005-HCC-05 -TRANSFERS:

Resolution No. 2005-HCC-05 addressing requested transfers was presented and read in full for Council information. The following actions were taken:

	TRANSFERS FROM:	TO:	AMOUNT REQUESTED	ALLOWED
<u>001</u>	<u>HOWARD COUNTY GENERAL FUND:</u>			
<u>001</u>	<u>Howard County Clerk</u>			
02360.00	Office Supplies	04721.00 Equipment	\$ 5,000.00	\$ 5,000.00

County Clerk Mona Myers said the laser printers in the Clerk's Office are at least nine years old. Four of the printers have stopped working. The cost to repair the printers would be \$150.00 to \$200.00 each compared to the cost of \$329.00 for a new printer. Ms. Myers requested approval to transfer \$5,000.00 from Office Supplies to Equipment for the purchase of new laser printers.

Mr. Papacek made a motion to approve a transfer of \$5,000.00 from Line Item 02360.00 Office Supplies to Line Item 04721.00 Equipment in Account 001. Seconded by Mr. Singer, the motion carried.

<u>005</u>	<u>Howard County Sheriff Department</u>			
03252.00	Car Repair	02252.00 Car Supplies	\$ 15,000.00	\$ 15,000.00

Sheriff Marshall Talbert explained that the funds for car repair and supplies were inadvertently combined. The transfer was in order to correct the line items.

Mr. Ortman made a motion to transfer \$15,000.00 from Line Item 03252.00 Car Repair to Line Items 02252.00 Car Supplies in Account 005. Seconded by Mr. Ellison, the motion carried.

<u>006</u>	<u>HOWARD COUNTY SURVEYOR</u>			
02360.00	Office Supplies	04721.00 Equipment	\$ 550.00	\$ 550.00

County Surveyor Beryl Grimme was unable to attend the meeting. Auditor Ann Wells said Mr. Grimme submitted a request to transfer of \$500.00 from Office Supplies to Equipment because there was not enough money in the Equipment line item to purchase a new computer monitor.

A motion was made by Mr. Papacek to transfer \$500.00 from Line Item 02360.00 Office Supplies to Line Item 04721.00 Equipment in Account 006. Mr. Singer seconded the motion, and it carried.

<u>010</u>	<u>HOWARD COUNTY DEPARTMENT OF HEALTH FUND:</u>			
<u>000</u>	<u>DEPARTMENT OF HEALTH</u>			
02370.00	Environmental Supplies	04722.00 Equipment	\$ 1,725.00	\$ 1,725.00

Mr. Papacek made a motion to transfer \$1,725.00 from Line Item 02370.00 Environmental Supplies to Line Item 04722.00 Equipment as read. Mr. Ellison seconded the motion, which carried.

IN THE MATTER OF SALARY ORDINANCE NO. 2005-HCC-14 – AMENDING SALARY ORDINANCE FOR 2005:

A motion was made by Mr. Stout, seconded by Mr. Ortman, and carried to approve Amended Salary Ordinance 2005-HCC-14 as noted. The amended salaries, any changed position titles and all other pertinent information is shown as follows:

		REQUESTED	APPROVED
<u>105</u>	<u>HOWARD COUNTY ADULT PROBATION USER FEE FUND</u>		
	01119.00 Overtime - Superior Court I	\$ 3,222.00	\$ 3,222.00
	<i>To Pay Previously Accrued Time</i>		
<u>125</u>	<u>HOWARD COUNTY PROSECUTOR TITLE IV-D INCENTIVE FUND</u>		
	01115.00 Part-Time / Overtime	\$ 5,000.00	\$ 5,000.00

IN THE MATTER OF OLD BUSINESS:

1. Mr. Papacek commented that this is the first time the Council did not consider any requests for additional money out of the General Fund.
2. **Jail Bond Refunding Project:** County Attorney Larry Murrell anticipated the Jail Bond to be closed sometime in April 2005. He reported that Howard County recently received an A-1 Bond Rating as a result of the business of the county government. Attorney Murrell commented that the Council has been instrumental in achievement of the excellent rating. He further commented that, "In this day and age, it indicates that it is a well run county government".

IN THE MATTER OF SOLID WASTE DISTRICT ISSUES:

Commissioner President Paul Raver presented the following issues for Council information:

1. Work is in progress to change the Solid Waste District Employee Retirement Fund to become a part of the County Public Employment Retirement Fund ("PERF"). Attorney Murrell stated that the PERF Ordinance needs to be amended to include the Solid Waste District employees.
2. Resumes were accepted to fill the vacant Director position. The Personnel Committee of the Howard County Solid Waste Management District met on March 21st, 2005 to review the resumes; the first interview has been scheduled on March 23rd.

PROPERTY TAX PENALTY DISCUSSION:

Treasurer Martha Lake stated that the taxes for six taxing units were going to substantially increase for the 2004 payable 2005 tax year, but not the other twelve tax units. She said a question has been raised whether the penalties could be waived for late payments from the entities having large tax increases. The procedure would require the Auditor, Treasurer, and the Council to agree on waiving the penalties and petition the DLGF to remove the penalties on homesteads only. Auditor Ann Wells commented that the decision must be unanimous; if one out of three opposes the appeal, then the petition cannot be submitted to the DLGF. Mrs. Wells also stated that if penalties could not be waived for all, she would not agree to waive them for anyone. Ms. Lake recommended against waiving any tax penalty. She requested a final decision to be made before tax time in view of the problems that are anticipated due to the higher tax payments.

The Council members and all concerned agreed that a waiver is not a good idea. In order to be fair and not show partiality to certain tax segments in the community, Council Members agreed that the waiver option should not be pursued.

IN THE MATTER OF SHERIFF DEPARTMENT ISSUES:

Sheriff Marshall Talbert presented the following issues for Council information:

1. **Arson Dog Contribution:** Kokomo Fire Department Chief Dave Duncan and Fire Investigator Pat Oneill conducted a presentation at the Sheriff's Department regarding the Fire Department's proposal to purchase an arson dog. The Howard County Sheriff's Department will be able to use the dog in the event arson is suspected. The Sheriff's Department decided to support the purchase of the arson dog with a contribution of \$1,000.00 from the Commissary Fund.
2. **Jail Medical Conference:** The Jail Medical Conference on March 4th, 2005 was attended by Sheriff Talbert, Captain Harold Vincent, Jail Matron Sheila Wyrick, Councilman Les Ellison, and County Attorney Larry Murrell.
3. The **Commissary Report for the Month of February 2005** was submitted to the Council.
4. **Sheriff's Health Insurance Increase:** When Sheriff Talbert assumed office in January 2003, the County saved money by agreeing to pay the monthly premium for his Indiana State Police Retiree Medical Insurance. The monthly premium of \$121.09 is proposed to increase on March 30th 2005. Sheriff Talbert advised that the money budgeted in the line item would expend before the end of the year. He notified the Council that an additional appropriation might be necessary to pay the insurance premiums through to the end of the year.
5. **Courthouse Security:** Sheriff Talbert said recently there has been some local consternation about courthouse security following the widely publicized shooting incident in a courtroom in Atlanta, Georgia. A deputy had lost control of a weapon to a prisoner. Sheriff Talbert commented that this was not a flaw in courthouse security; it was a flaw in the officer's training on weapon retention tactics.
6. The Sheriff stated concerns about the **rising gasoline prices and costs for prisoner extraditions**. He alerted the Council that the both of these budgets might experience a shortfall of funds before the end of the 2005-year.
7. **DOC Reimbursement:** The County received a check in the amount of \$110,110.00 from the Indiana Department of Corrections for holding DOC prisoners and reimbursement of medical expenses. Sheriff Talbert received a letter from the Commissioner of the Department of Corrections stating that the payments to the county will no longer be delayed.

IN THE MATTER OF INFORMATION SYSTEMS ISSUES:

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

1. **Video Monitoring System Upgrade Project:** *(See page 5, February 22nd, 2005 minutes, "In the Matter of Sheriff Department Issues", Item 4, for related discussion)* Aadco, Inc. Alarm & Communication quoted a price of \$11,975.00 to upgrade the camera security system in the Courthouse. To move the old equipment from the Courthouse to the Administration Center would be a one time price of \$2,500.00 for installation and configuration. Because the existing cameras in the Courthouse must remain in place, new cameras would need to be purchased for the Administration Center. Cameras having microphones cost \$2,130.00 each and cameras without microphones cost \$1,500.00 each. The camera system will be network capable and can be monitored from various locations that have viewing rights. For security reasons, Mr. Tribby recommended installing the cameras at the Howard County Administration Center before tax time. Sheriff Talbert suggested placing signs in the building to alert the public that the audio/video cameras are in use. Mr. Tribby said he has enough money in his budget to start the project but the funds would need to be replenished in order to carry his budget through to the end of the year.

Mr. Papacek made a motion to recommend proceeding with the purchase of the audio/video equipment as outlined above and instruct Mr. Tribby to pay the costs out of the Information Systems budget with the understanding that the County Council would reimburse the costs. Mr. Singer seconded the motion, and it carried.

2. **Panic/Duress Security Alarm System:** Mr. Tribby advised that extra panic buttons will be installed in the Administration Center building. There was a brief discussion regarding whether funding is available from the Homeland Security Grants to upgrade the security systems in the Courthouse and Administration Center. Mr. Tribby said he would compose a summary report on the Homeland Security funds that were used for the Interoperability Communications Upgrade Wireless Project, the balance of funds, and any proposed projects.

There being no further business to come before the Council, Mr. Singer made a motion to adjourn. The motion was seconded by Mr. Stout and carried. The meeting adjourned at 8:25 p.m.

HOWARD COUNTY COUNCIL:

Richard H. Miller, President

James Papacek, Vice President

Joseph Pencek, Councilman

Dwight Singer, Jr., Councilman

Leslie Ellison, Councilman

Stanley Ortman, Councilman

Jeffrey Stout, Councilman

Attest:

ANN WELLS, AUDITOR
County Council Minutes, March 22nd, 2005