

## **HOWARD COUNTY COUNCIL REGULAR MEETING MAY 26, 2009**

The Howard County Council met Tuesday, May 26, 2009 at 7:00 p.m. in Room 338 of the Howard County Administration Center. Those present included President Richard Miller, Vice President Paul Wyman, and member James Papacek, Stanley Ortman, Jeff Stout, Leslie Ellison and Joseph Pencek. 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 Miller.

### **IN THE MATTER OF APPROVAL OF MINUTES:**

The minutes of the April 28, 2009 minutes, having been previously submitted and reviewed, were approved on a motion made by Mr. Papacek and seconded by Mr. Pencek.

### **IN THE MATTER OF OPENING COMMENTS BY COUNCIL:**

President Miller opened the floor for Council members' comments as follows:

Mr. Miller welcomed back Councilman Les Ellison after his recent surgery.

Councilman Ortman: Having just celebrated Memorial Day weekend, Mr. Ortman remarked that he knows the County has had some tough times, "...but if you understand the meaning and purpose of Memorial Day, we've got it pretty good." Mr. Ortman is glad to be here.

Councilman Papacek: Mr. Papacek has received several calls concerning overgrown lawns on foreclosed properties and wondered if the Board of Commissioners could address the issue. Auditor Wells informed the Council that the Township Trustee also deals with mowing issues but did comment that it is money paid up front, for them, and they do not receive reimbursement of those funds until after tax monies are collected and distributed. Commissioner Trine asked Mr. Papacek to submit a list of property addresses and they would look into the issue.

Mr. Papacek voiced his opinion concerning the Commissioner's consideration of an amended purchasing policy to use local vendors. In light of the Council's direction to Office Holders and Department Heads to decrease their budgets by 5%, he believes it to be in the best interest of the County to save money and cut expenses by using the lowest costs. "The purpose of taking bids is to get the lowest and best..".

Councilman Ellison: Mr. Ellison thanked everyone for their patience during his absence, and that after four procedures, he is "new and improved".

Councilman Wyman: The Council has talked, in the past, about beginning each meeting with prayer. He asked that it be included on the agenda.

### **IN THE MATTER OF ORDINANCE NO. 2009-HCCO-18 – ADDITIONAL APPROPRIATIONS:**

Ordinance No. 2009-HCCO-18 – Additional Appropriations (including budget reductions pertaining to the 5% Budget decreases) was read in part one time by Auditor Ann Wells, and acted upon as follows:

<b><u>001</u></b>	<b><u>Howard County General Fund</u></b>	<b>REQUESTED:</b>	<b>APPROVED:</b>
<b><u>002</u></b>	<b><u>Howard County Auditor</u></b>		
02360.00	Office Supplies	\$ (1,000.00)	\$ (1,000.00)
02360.22	Office Supplies – Personnel	\$ (250.00)	\$ (250.00)
02371.00	Other Supplies	\$ (500.00)	\$ (500.00)
03121.00	Maintenance & Service Contracts	\$ (500.00)	\$ (500.00)
03121.22	Maintenance & Service Contracts / Personnel	\$ (250.00)	\$ (250.00)
03241.00	Printing	\$ (200.00)	\$ (200.00)
03260.00	Dues & Subscriptions	\$ (50.00)	\$ (5.00)
<b>Total Howard County Auditor</b>		<b>\$ (2,750.00)</b>	<b>\$ (2,705.00)</b>

**003**      **Howard County Treasurer**

01114.01	Job Share	\$ (540.00)	\$ (540.00)
01117.00	Part Time	\$ (1,360.00)	\$ (1,360.00)
02231.00	Tax Statements	\$ (500.00)	\$ (500.00)
02360.00	Supplies	\$ (500.00)	\$ (500.00)
03121.00	Maintenance & Service Contracts	\$ (500.00)	\$ (500.00)
03213.00	Travel & Training	\$ (100.00)	\$ (100.00)
<b>Total Howard County Treasurer</b>		<b>\$ (3,500.00)</b>	<b>\$ (3,500.00)</b>
<u>004</u>	<u>Howard County Recorder</u>		
01114.01	Job Share	\$ (13,408.50)	\$ (13,408.50)
<u>005</u>	<u>Howard County Sheriff</u>		
01128.00	Community Policing	\$ (2,500.00)	\$ (2,500.00)
02233.00	Investigation Supplies	\$ (3,000.00)	\$ (3,000.00)
02234.00	Dive Team Supplies	\$ (1,500.00)	\$ (1,031.50)
02235.00	SWAT Supplies	\$ (5,000.00)	\$ (5,000.00)
02236.00	Emergency Response Team Supplies	\$ (1,500.00)	\$ (1,500.00)
02238.00	Negotiation Supplies	\$ (1,000.00)	\$ (1,000.00)
02323.00	Batteries	\$ (1,000.00)	\$ (445.74)
02366.00	Camera Supplies	\$ (500.00)	\$ (180.10)
02375.00	IDAC Supplies	\$ (3,000.00)	\$ (2,285.55)
03213.01	Travel & Training – Firearms	\$ (3,960.00)	\$ (3,960.00)
03233.00	Criminal Investigation Services	\$ (500.00)	\$ (500.00)
03234.00	Dive Team Services	\$ (500.00)	\$ (59.00)
03241.00	Printing	\$ (2,500.00)	\$ (2,500.00)
03243.00	Photography – Film Developing	\$ (500.00)	\$ (500.00)
<b>Total Howard County Sheriff</b>		<b>\$ (26,960.00)</b>	<b>\$ (24,461.89)</b>
<u>006</u>	<u>Howard County Surveyor</u>		
01114.00	Clerical Assistant	\$ (18,360.00)	\$ (18,360.00)
<u>007</u>	<u>Howard County Extension Office</u>		
02360.00	Office Supplies	\$ (500.00)	\$ (500.00)
02364.00	Copier Supplies	\$ (500.00)	\$ (500.00)
02372.00	Educational Materials	\$ (100.00)	\$ (100.00)
03111.00	Continuing Education	\$ (200.00)	\$ (200.00)
03212.00	Postage	\$ (500.00)	\$ (500.00)
03213.00	Travel & Training	\$ (1,000.00)	\$ (1,000.00)
<b>Total Howard County Extension Office</b>		<b>\$ (2,800.00)</b>	<b>\$ (2,800.00)</b>
<u>008</u>	<u>Howard County Superior Court II</u>		
01118.00	Overtime	\$ (335.00)	\$ (335.00)
03260.00	Dues & Subscriptions	\$ (100.00)	\$ (-0- )
04724.00	Law Books	\$ (100.00)	\$ (100.00)
<b>Total Superior Court II</b>		<b>\$ (535.00)</b>	<b>\$ (435.00)</b>
<u>010</u>	<u>Howard County Assessor</u>		
02360.00	Office Supplies	\$ (1,000.00)	\$ (1,000.00)
<u>011</u>	<u>Howard County Center Township Assessor</u>		
02360.00	Office Supplies	\$ (500.00)	\$ (500.00)
03212.00	Postage	\$ (1,000.00)	\$ (1,000.00)
03213.00	Travel & Training	\$ (250.00)	\$ (250.00)
03260.00	Dues & Subscriptions	\$ (400.00)	\$ (400.00)
<b>Total Center Township Assessor</b>		<b>\$ (2,150.00)</b>	<b>\$ (2,150.00)</b>
<u>012</u>	<u>Howard County Prosecutor</u>		

02360.00	Office Supplies	\$	(518.69)	\$	(518.69)
03212.00	Postage	\$	(2,289.62)	\$	(2,289.62)
03213.00	Travel & Training	\$	(118.48)	\$	(118.48)
03216.00	Communications	\$	(340.57)	\$	(340.57)
03241.00	Printing	\$	(430.25)	\$	(430.25)
03242.00	Publication Of Legal Notices	\$	(273.00)	\$	(273.00)
03261.00	Bond & Notary Fees	\$	(135.00)	\$	(135.00)
03410.00	Grant Match	\$	(12,695.00)	\$	(12,695.00)
<b>Total Howard County Prosecutor</b>		\$	<b>(16,800.51)</b>	\$	<b>(16,800.51)</b>
<u>013</u>	<u>Howard County Circuit Court</u>				
01118.00	Overtime	\$	(3,000.00)	\$	(3,000.00)
02360.00	Office Supplies	\$	(500.00)	\$	(500.00)
03111.00	Continuing Education	\$	(150.00)	\$	(150.00)
03138.00	Court Appointed Advocate	\$	(1,058.00)	\$	(1,058.00)
03212.00	Postage	\$	(500.00)	\$	(500.00)
04724.00	Law Books	\$	(395.00)	\$	(395.00)
<b>Total Circuit Court</b>		\$	<b>(5,603.00)</b>	\$	<b>(5,603.00)</b>
<u>017</u>	<u>Howard County Voter Registration</u>				
01117.00	Part Time	\$	(300.00)	\$	(300.00)
01118.00	Part Time	\$	(300.00)	\$	(300.00)
03212.00	Postage	\$	(200.00)	\$	(200.00)
03241.00	Printing	\$	(1,800.00)	\$	(1,800.00)
<b>Total Voter Registration</b>		\$	<b>(2,600.00)</b>	\$	<b>(2,600.00)</b>
<u>018</u>	<u>Howard County Maintenance Department</u>				
01115.00	Labor Maintenance	\$	(15,490.00)	\$	(15,490.00)
02253.00	Equipment Repair Supplies	\$	(5,000.00)	\$	(5,000.00)
02320.00	Grounds – supplies	\$	(1,500.00)	\$	(1,500.00)
02320.21	Grounds – Supplies – Jail	\$	(1,000.00)	\$	(1,000.00)
02320.02	Grounds – Supplies – Howard Haven	\$	(2,000.00)	\$	(2,000.00)
02336.00	Institutional Supplies	\$	(4,000.00)	\$	(4,000.00)
03213.00	Travel & Training	\$	(500.00)	\$	(500.00)
03253.00	Equipment Repair	\$	(1,600.00)	\$	(1,600.00)
03253.01	Equipment Repair – Jail	\$	(5,000.00)	\$	(5,000.00)
<b>Total Maintenance Department</b>		\$	<b>(36,090.00)</b>	\$	<b>(36,090.00)</b>
<u>020</u>	<u>Howard County Howard Haven</u>				
01112.00	Assistant Superintendent	\$	(10,827.00)	\$	(10,827.00)
<u>031</u>	<u>Howard County Information Systems</u>				
02360.00	Office Supplies	\$	(250.00)	\$	(250.00)
<u>032</u>	<u>Howard County Soil &amp; Water Conservation</u>				
03260.00	Dues & Subscriptions	\$	(500.00)	\$	(500.00)
<u>033</u>	<u>Howard County Superior Court III</u>				
02360.00	Office Supplies	\$	(500.00)	\$	(500.00)
<u>036</u>	<u>Howard County Prosecutor – Title IV-D</u>				
03212.00	Postage	\$	(4,000.00)	\$	(4,000.00)
03241.00	Printing	\$	(1,000.00)	\$	(1,000.00)
<b>Total Prosecutor Title IV-D</b>		\$	<b>(5,000.00)</b>	\$	<b>(5,000.00)</b>
<u>044</u>	<u>Howard County Superior Court IV</u>				
04724.00	Law Books	\$	(500.00)	\$	(500.00)

<b>Total Reductions County General</b>		<b>\$ (152,884.01)</b>	<b>\$ (147,490.90)</b>
<b><u>010</u></b>	<b><u>Howard County Health Fund</u></b>		
01116.00	Environmental Health Specialist	\$ (9,330.00)	\$ (9,330.00)
03513.00	Insurance Policy	\$ (900.00)	\$ (900.00)
<b>Total Reductions Health Fund</b>		<b>\$ (10,230.00)</b>	<b>\$ (10,230.00)</b>
<b><u>011</u></b>	<b><u>Howard County Reassessment Fund</u></b>		
02370.00	Printer Supplies	\$ (1,000.00)	\$ (1,000.00)
03212.00	Postage	\$ (7,000.00)	\$ (7,000.00)
<b>Total Reductions Reassessment Fund</b>		<b>\$ (8,000.00)</b>	<b>\$ (8,000.00)</b>
<b><u>104</u></b>	<b><u>Howard County Juvenile Probation</u></b>		
02360.00	Office Supplies	\$ (500.00)	\$ (500.00)
02365.00	Computer Supplies	\$ (500.00)	\$ (500.00)
02371.00	Drug Screen Supplies	\$ (250.00)	\$ (250.00)
03261.00	Psychological Services	\$ (500.00)	\$ (500.00)
<b>Total Reductions Juvenile Probation</b>		<b>\$ (1,750.00)</b>	<b>\$ (1,750.00)</b>
<b><u>105</u></b>	<b><u>Howard County Adult Probation</u></b>		
01117.00	Part Time (Superior III)	\$ (3,000.00)	\$ (3,000.00)
<b><u>150</u></b>	<b><u>Cumulative Capital Fund</u></b>		
<b><u>001</u></b>	<b><u>Information Systems</u></b>		
03120.00	Computer Supplies	\$ (1,000.00)	\$ (1,000.00)
03121.00	Maintenance & Service Contracts	\$ (2,000.00)	\$ (2,000.00)
03213.00	Travel & Training	\$ (1,000.00)	\$ (1,000.00)
04722.00	Computers	\$ (1,000.00)	\$ (1,000.00)
<b>Total Reductions Information Systems</b>		<b>\$ (5,000.00)</b>	<b>\$ (5,000.00)</b>
<b><u>186</u></b>	<b><u>Howard Co. Prosecutor – Pre-Trial Diversion</u></b>		
02360.00	Office Supplies	\$ (1,000.00)	\$ (1,000.00)
03215.00	Transcripts	\$ (1,000.00)	\$ (1,000.00)
03222.00	Conference Fees & Expenses	\$ (1,000.00)	\$ (1,000.00)
03242.00	Legal Advertising	\$ (2,000.00)	\$ (2,000.00)
03253.00	General Equipment Maintenance	\$ (1,000.00)	\$ (1,000.00)
03300.00	Process Server	\$ (2,000.00)	\$ (2,000.00)
<b>Total Reductions Pre-Trial Diversion</b>		<b>\$ (8,000.00)</b>	<b>\$ (8,000.00)</b>
<b><u>198</u></b>	<b><u>Howard Co. Prosecutor – Law Enforcement</u></b>		
04724.00	General Fund – Sheriff	\$ (5,650.00)	\$ (5,650.00)
<b><u>247</u></b>	<b><u>Howard Co. Prosecutor – Bad Check &amp; Copy Fund</u></b>		
03260.00	Dues & Subscriptions	\$ (450.00)	\$ (450.00)
<b><u>252</u></b>	<b><u>Howard County Jail &amp; Juvenile COIT</u></b>		
<b><u>035 &amp; 038</u></b>	<b><u>Kinsey Youth Center</u></b>		
03263.01	Mental Health Diagnostics	\$ (19,350.00)	\$ 19,350.00)
<b><u>500</u></b>	<b><u>Howard County CEDIT Fund</u></b>		
03214.00	Information systems – DSL Service	\$ (3,000.00)	\$ (3,000.00)
<b>Total Reductions All Funds</b>		<b>\$ (217,314.01)</b>	<b>\$ (211,920.90)</b>

The total amount of reductions in all funds is \$217,314.01.

Councilman Wyman reported on the results of the budget reductions as they are listed. The Committee met last week with the Sheriff's Department and Kinsey Youth Center and Mr. Wyman reported it was very informative with a lot of good dialogue pertaining to the possibilities of savings for 2009 and 2010. The Committee will continue to meet with Department Heads, and is anticipating being able to identify up to \$400,000.00 in future reductions. They are pleased with

the progress that is being made, and thanked the Department Heads and employees for their cooperation. He extended an invitation to employees and Department Heads to share their input with the Committee.

Auditor Wells informed the Council that about \$2,643.11 of the committed reductions will need to be removed because the money has been spent.

At the conclusion of discussion a motion was made by Mr. Wyman to approve the budget reductions as submitted. The motion was seconded by Mr. Ortman and carried.

The remaining appropriations requests were acted upon as follows:

<b>137</b>	<b><u>Howard County Health – Aids Grant Fund</u></b>		
01111.00	Nurse	\$ 8,750.00	\$ 8,750.00
01521.00	FICA	\$ 670.00	\$ 670.00
02337.00	Medical Supplies	\$ 3,505.00	\$ 3,505.00
03212.00	Postage	\$ 550.00	\$ 550.00
03260.00	Dues & Subscriptions	\$ 25.00	\$ 25.00

Health Department Director Kent Weaver informed the Council that his department has received the AIDS Grant money from the State and is ready to appropriate the funds to the line items as submitted. This grant is for public education and testing.

A motion was made by Mr. Papacek to approve the appropriation requests as submitted, in the amount of \$13,500.00. The motion was seconded by Mr. Ellison and carried.

<b>TOTAL AIDS GRANT FUND APPROPRIATIONS</b>	<b>\$ 13,500.00</b>	<b>\$ 13,500.00</b>
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**IN THE MATTER OF A PROPOSED AMENDMENT TO THE COUNTY'S PURCHASING ORDINANCE:**

Commissioner William Thompson took the floor to speak concerning a proposed amendment to the County's Purchasing Ordinance, supporting local vendors, first. He began the discussion by saying, "Cheapest isn't always best". Discussion continued with comments as follows:

President Miller: Has heard from some other counties that they are broke. He believes Howard County is doing as well as it is because of following the law that compels us to take the lowest bid. He feels that local businesses chose to not get on board.

Sheriff Talbert: Reference is made, here, to the QPA (Quantity Purchase Agreement). This is an amount negotiated by the State of Indiana to purchase its own commodities, as well as make them available at the negotiated price to local government entities. This is not a secret deal – local dealers may obtain that information and match or underbid the negotiated price. Sheriff Talbert does this with other equipment needs, such as radar units. He calls the State first to see what equipment they've negotiated for, and then is allowed the same pricing. He disagrees with the proposed amendment.

Vice President Wyman: Wondered if our local businesses truly understand the concept of the Quantity Purchase Agreement and how it works. What kind of communication does the County and City have with our local businesses? He also commented on the necessity for purchasing "in bulk".

Attorney Murrell: Communicating with local businesses and purchasing in bulk for all the county and/or city departments requires time and manpower. The County does not have staff in place to carry out this good idea. There are also purchasing constraints placed on us by the State. There is no exception for local bidding.

Sheriff Talbert: If we exclude non-local businesses from the bid process and not use the QPA, there is no incentive for local businesses to be competitive.

Commissioner Dave Trine: Informed the Council that the proposed purchasing amendment gives the Board of Commissioners the ability to reject any local bid that is found to be "not responsible", then seek bids outside of the County. He believes that looking for a long term solution is better for the County. The Board of Commissioners does not intend to be reckless with the County's money.

Councilman Ortman: "It's not County Government's job to keep some businessman, and tell him what to do to stay competitive. That's the businessman's job." He doesn't want a policy that excludes a competing bidder that may be more efficient.

There was further discussion concerning the purchasing laws and Attorney Murrell clarified the amount of purchasing amount guidelines. Mr. Trine assured the Councilmen that the Board of Commissioners will follow the laws as written.

#### **IN THE MATTER OF U.S. 31 CORRIDORS PLANS:**

Mr. Glen Boise informed the Council that the Plan Commission is ready to begin the U.S. 31 Corridors Study Plans and would like to make an appointment to the Steering Committee. The consultant he's been working with, for this project, was not able to attend the meeting. He would like to present this issue at the June Council meeting. By consensus the Council agreed to listen to the issue at the June Council meeting.

Councilman Wyman thanked Mr. Boise and the Plan Commission for their work concerning the Wind Farm Ordinance.

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

Sheriff Talbert submitted the following issues for the Council's information and approval:

1. **D.O.C. Reimbursement Checks:** Sheriff Talbert submitted checks from the Department of Corrections for the months of September through November, 2008, at the May 18<sup>th</sup> Commissioner meeting. The amounts of the three checks totaled \$59,080.00.
2. **Jail Population:** The current inmate population is three hundred sixty-five (365): three hundred seventy-one (371) is the record. Sheriff Talbert believes we may see totals of four hundred inmates in the Criminal Justice Center by August of this year. We are averaging about \$300,000.00 annually in DOC holds. If the jail was expanded by the construction of a pod, he believes it could be staffed by using the DOC hold reimbursement money.
3. **Completion Of Classes:** Maintenance Supervisor William Stonestreet has completed classes for Heat Pump Maintenance and Repair, from IVY Tech. He assured the Council that he will use all his education to help the county in repairs to heat pumps that used to be given to an outside vendor. The Sheriff's Department will reimburse Mr. Stonestreet his tuition costs in the amount of \$610.00 from the Commissary Fund per previous agreement (*please refer to page four, item six, "In The Matter Of Sheriff Department Issues", of the Regular Meeting dated February 24, 2009*).
4. **Annual Inspection:** Sheriff Talbert informed the Council that the Sheriff's Annual Inspection went well. The VFW was there to conduct the Police Memorial Service. It was a very good afternoon and Sheriff Talbert has very happy with the efforts of all the deputies and correctional officers. Mr. Miller remarked on the spotless condition of the fleet of vehicles at the Department, and the professional appearance of the Criminal Justice Center. Sheriff Talbert expressed appreciation to the Council members who attended.
5. **Thank You To Sheriff Talbert:** Auditor Wells thanked Sheriff Talbert for the use of one of the Department's vans to transport the Auditor, Assessors, and Treasurer to Indianapolis for a meeting with Senator Hershman. This meeting was concerning the employment issues of Howard County.

#### **IN THE MATTER OF COMMISSIONER ISSUES:**

Commissioner Thompson reported on the status of several Interlocal agreements with the City of Kokomo. The Plan Commission Office Agreement, under the supervision of Attorney Murrell, has been successfully completed. They are currently addressing the Weights & Measures Agreement and are waiting for the entities involved to approve it. The remaining agreements are Emergency Management Agency and E911 Dispatch. Mr. Thompson will keep the Council informed of the progress of the agreements.

There being no further business to come before the County Council at this time, a motion was made by Mr. Papacek, seconded by Mr. Pencek and carried to adjourn. The meeting was adjourned at 7:49 p.m.

**HOWARD COUNTY COUNCIL:**

\_\_\_\_\_  
RICHARD A. MILLER, PRESIDENT

\_\_\_\_\_  
PAUL G. WYMAN, VICE PRESIDENT

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JAMES T. PAPACEK, COUNCILMAN

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LESLIE ELLISON, COUNCILMAN

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STAN ORTMAN, COUNCILMAN

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JEFF STOUT, COUNCILMAN

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JOSEPH PENCEK, COUNCILMAN

ATTEST:

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ANN WELLS, AUDITOR  
Howard County Council Meeting May 26, 2009