

**HOWARD COUNTY COUNCIL REGULAR AND 2010 BUDGET HEARINGS AUGUST 25, 26, 27,  
AND SEPTEMBER 9, 2009**

The Howard County Council met Tuesday, August 25, 2009 at 7:00 p.m. in Hearing Room 338 of the Howard County Administration Center. Those present included President Richard Miller, Vice President Paul Wyman and Members James Papacek, Stanley Ortman, Leslie Ellison, Jeff Stout 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 Tribute to Former County Commissioner Paul Raver, Mr. Ortman read the following quote:

“You are not responsible for what people think about you, but you are responsible for what you give them to think about you.”

Mr. Ortman continued to say about Mr. Raver, “I considered him my mentor, colleague and friend. Paul was a true public servant, kind, thoughtful, decisive, friendly, and overly generous with his time and talents. Like many of the ‘greatest generation’ he did it with class and dignity. He set examples for all of us to emulate and follow.”

Mr. Ortman then led the Council in prayer.

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

The minutes of the July 28, 2009 Regular Meeting minutes, having been previously submitted and reviewed, were approved on a motion made by Mr. Ortman and seconded by Mr. Ellison.

**IN THE MATTER OF ORDINANCE NO.2009-HCCO-24 – ADDITIONAL APPROPRIATIONS:**

Ordinance No. 2009-HCCO-24 – Additional Appropriations was read in full 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>AMOUNT</b>	
<b><u>023</u></b>	<b><u>Commissioners</u></b>	<b>REQUESTED:</b>	<b>APPROVED:</b>
03120.00	Contract Services	\$ 200,000.00	\$ 200,000.00

Commissioner Dave Trine informed the Council that the additional request for \$200,000.00 is to cover legal fees that are associated with Delphi and Chrysler bankruptcy matters. Attorney Larry Murrell also spoke to this request, explaining the costs of monthly legal work as well as the status of present negotiations. The County has a seventeen year working relationship with Barnes and Thornburg. Mr. Murrell’s philosophy of using outside council is based on the following criteria:

- 1) The amount at stake
- 2) Complexity of the case
- 3) The venue
- 4) Opposing Counsel

The amount at stake with Delphi is over 7 million and Chrysler is 24 million. The complexity of the case is seen in the fact that Delphi matters have been going on for the last four years. Chrysler is a groundbreaking case, especially with the government involved. In both cases, the court is located in New York. Neither Mr. Murrell nor any local attorney that he knows of is licensed to practice in the state of New York. Two of the largest legal firms in the Country represent Delphi and Chrysler, and play “hardball” in these cases. No issues have been conceded and Barnes and Thornburg have had to fight for everything they’ve gotten for the County. There is no question that we need outside counsel; Howard County is “playing with the biggest boys and girls”. He continued to explain what is at stake in dealing with industry personal property taxes.

At the conclusion of this explanation, a motion was made by Mr. Papacek, seconded by Mr. Stout and carried to approve the request of \$200,000.00 to line item 03120.00, Contract Services.

<b><u>105</u></b>	<b><u>Howard County Adult Probation Fund</u></b>		
04721.00	Equipment	\$ 2,000.00	\$ 2,000.00

04722.00	Computers	\$	3,500.00	\$	3,500.00
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Chief Probation Officer Don Travis began his request justification by thanking the Board of Commissioners and Maintenance Superintendent Scott Reed. He believes the flooding problem in the Adult Probation offices in the Courthouse has been resolved. The room that had been flooded has been used for a storage room. Mr. Travis would like to make the room more productive by converting it into a media room with the ability to do video conferencing for jail interviews. Equipment needed for that is a computer camera and nineteen inch screen. He would also request an additional computer for NCIC, the ability to do their own background checks on clients, instead of relying on the Sheriff's Department. It would also require securing the computer and the room with a log-in system put in place. All equipment would be off the floor, just in case of flooding. The goal is to become more cost efficient and that will save the County costs in the long run.

A motion was made by Mr. Papacek to approve the Adult Probation requests as submitted. The motion was seconded by Mr. Ortman and carried.

<b>TOTAL ADULT PROBATION FUND</b>		<b>\$</b>	<b>5,500.00</b>	<b>\$</b>	<b>5,500.00</b>
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**276      Howard County Health-Public Health Response Fund**

03120.00	Contract Services	\$	40,551.00	\$	40,551.00
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Health Department Director Kent Weaver informed the Council that the H1N1 flu virus vaccine is in the process of being produced. The Federal government expects local Health Departments to administer the vaccine to any citizen who desires it, as it becomes available. The Center For Disease Control has estimated over 1 million cases to date with half of those being unreported. The Health Department has been offered a grant in the amount of \$40,551.00 to help with the costs of managing the program, with a second allocation of \$40,551.00 in the future. A third allocation of \$80,000.00 is possible. He asks that the Auditor sign the necessary paperwork to receive the funds, and that the Council appropriates them.

A motion was made by Mr. Ortman, seconded by Mr. Wyman and carried to approve the request to appropriate \$40,551.00 in line item 03120.00, Contract Services.

<b>TOTAL ADDITIONALS ALL FUND</b>		<b>\$</b>	<b>246,051.00</b>	<b>\$</b>	<b>246,051.00</b>
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**IN THE MATTER OF RESOLUTION NO. 2009-HCCR-16 – TRANSFERS:**

Auditor Wells read Resolution No. 2009-HCCR-16 – Transfers in full one time and it was acted upon as follows:

	<b>Transfer From:</b>	<b>To:</b>	<b>Amount Requested:</b>	<b>Allowed:</b>
<b><u>001</u></b>	<b><u>Howard County General Fund</u></b>			
<b><u>020</u></b>	<b><u>Howard County Howard Haven</u></b>			
01112.00	Assistant Superintendent	01117.00 Part Time	\$ 8,000.00	\$ 8,000.00

Howard Haven Superintendent Jennifer Vary requested a transfer from her Assistant Superintendent line item to the Part Time line item. Because of the 5% budget decrease this year, Ms. Vary has not hired an Assistant Superintendent, and because of that she is utilizing more part time. She presently has three part-time workers and they assist the housekeeper / cook when she has to help with resident transports. Howard Haven is at full capacity with twenty-three residents.

A motion was made by Mr. Papacek to approve the transfer of \$8,000.00 from line item 01112.00, Assistant Superintendent, to line item 01117.00, Part Time. The motion was seconded by Mr. Ellison and carried.

**252      Howard County Jail & Juvenile COIT**

<b><u>025</u></b>	<b><u>Howard County Sheriff</u></b>			
01119.01	Correction Officer	01122.00 Overtime Correction Officer	\$ 50,000.00	\$ 50,000.00

Sheriff Talbert informed the Council that this transfer is needed for overtime of the Correction Officers. He gave statistics showing that less overtime has been spent so far in 2009 as compared with 2008. He also informed them there have been a lot of inmates in need of hospitalization and that requires more overtime from the Correction Officer as guards during transport and hospitalization. Family Medical Leave and Department of Corrections prisoner holds also account for overtime needs. He also informed the Council that State Inspectors will be at the jail on Thursday.

The transfer request of \$50,000.00 from line item 01119.01, Correction Officer to 01122.00, Overtime Correction Officer was approved on a motion made by Mr. Papacek and seconded by Mr. Stout.

#### **IN THE MATTER OF THE ANNUAL LOIT RATE DISCUSSION:**

At the July 27<sup>th</sup> meeting, it was the consensus of the County Council to add this discussion to the August meeting agenda (*please refer to page four, "In The Matter Of the Annual LOIT Rate Discussion", of the Regular Meeting minutes dated July 27, 2009*). According to County Assessor Shepherd, our assessed value information for 2009 pay 2010 has been sent to Crowe Horvath. This is critical for making judgments as we move forward with the LOIT discussion. In some of the heavily industrial townships, Howard County is seeing an increase in personal property because of the closing of abatement schedules. It was the consensus of the Council to continue to table this discussion.

#### **IN THE MATTER OF RESOLUTION NO. 2009-HCCR-09:**

This resolution was discussed at the July 27<sup>th</sup> meeting and the Councilmen voted to table the resolution until the August meeting (*please refer to page four, "In The Matter Of Resolution No. 2009-HCCR-09", of the Regular Meeting minutes dated July 27, 2009*). In July's discussion there was concern over the timing of the Cost Allocation for the Joint Plan Commission Office report needed to accurately figure 2010 budget estimates. Of concern for Mr. Papacek was the wording in Section 5 B3 (a), but he is satisfied with the wording of the present resolution. Mr. Murrell talked concerning the recommendation that the Cost Allocation (used in determining figures for budgeting purposes) be delivered to the City and County by July 1<sup>st</sup> of this year. We still do not have that report and Mr. Murrell believes it is best to wait and implement the Interlocal Agreement for the year 2011, with the Cost Allocation Report to be prepared for the 2010 Budget process. Mr. Murrell would recommend that the Council continue the table on this Resolution until Thursday's Budget Hearing. A motion was made by Mr. Papacek, seconded by Mr. Ortman and carried to continue the table of Resolution No. 2009-HCCR-09.

#### **IN THE MATTER OF THE PROPERTY TAX ASSESSMENT BOARD OF APPEALS:**

County Assessor Jamie Shepherd informed the Council that since the elimination of Township Assessors, the County Assessor's Office has the assessing authority over the townships in lieu of just verifying figures from their equalization report with the Township Assessors figures. With the former role, the County Assessor was a voting member of the PTABOA Board; now it would be a conflict of interest for the County Assessor to sit on the Board as a voting member. At the Special Legislative Session it was decided that the County Assessor would chair the PTABOA Board and act as secretary. Also, the composition of the PTABOA Board has been refigured. There are three issues, now, that the Board of Commissioners, County Council, and County Assessor has to agree on (IC 6-1.1-28-1). They are as follows:

- 1) Determine whether the Board is to be a five-member or three-member Board (Ms. Shepherd recommends a five-member Board)
- 2) Uphold or waive the party stipulation requirement (Ms. Shepherd recommends waiving the requirement)
- 3) Appoint three members if a five-member Board

The current PTABOA Board is:

Ralph Reddersdorff  
William Sahm  
Bill Jones  
Tonya Stephenson (County employee, meets Level II Certification Requirements)  
Jamie Shepherd (Co. Assessor, meets Level II Certification Requirements)

The Board of Commissioners has made decisions concerning the PTABOA Board as follows:

- 1) Determine that the PTABOA Board be a **five-member Board**.
- 2) Waive the party stipulation requirement.
- 3) Board appointed William Sahm, Virginia Baker (former Assessor from Tipton County, meets Level II Certification Requirements), and Ann Harrigan (former County Assessor and meets Level II Certification Requirements)

To replace County Employee Tonya Stephenson, Ms. Shepherd recommends to the Council the appointment of employee Christine Clear, who works in the County Assessor's Office and has her Level II Certification Requirement, and the appointment of Ralph Reddersdorff who is a current member of the Board.

The County Council approved the following recommendations:

- 1) A motion was made by Mr. Papacek, seconded by Mr. Ortman and carried to determine the PTABOA Board to consist of **five** members.
- 2) A motion was made by Mr. Papacek, seconded by Mr. Stout and carried to waive the party stipulation requirement.
- 3) A motion was made by Mr. Papacek, seconded by Mr. Wyman and carried to appoint Ralph Reddersdorff and Christine Clear to the PTABOA Board.

Mr. Miller and Ms. Shepherd informed the Council that the State is putting more guidelines in place for the County Assessors and their offices, concerning proper certifications. Ms. Shepherd is directing her employees to receive Level II Certification in order to be in compliance with State directives. She believes that it is crucial, especially in light of the present Chrysler situation. Her office has been able to certify assessed valuations to the Auditor's Office earlier than last year, and that will help the Auditor's Office in getting an on-time billing out, next year.

#### **IN THE MATTER OF THE SMALL BUSINESS DEVELOPMENT CENTER:**

Ms. Susan Davis, Regional Director of the Small Business Development Center was in attendance to talk to the Council about their current investment in the Hoosier Heartland SBDC. She began by thanking the Council for the \$7,000.00 they budgeted for this year, to the Center, and reminded them that small business is the backbone of the community. Ms. Davis came from the viewpoint that the SBDC is into Economic Gardening and not Economic Development: the moving away from recruiting industries and growing our own from local talent. She continued to give the mission statement of the organization and describe how they are funded. She also read a client's testimonial and other client quotes. Ms. Davis gave a listing of services offered by the Center, and referred back to an e-mail she had previously distributed to the County Council. She talked concerning their involvement in a recent new venture, New Path, offering contracted engineering services, and of some of their future projects and plans. Statistics were read concerning how much money a small business brings to the local community. She ended her presentation by requesting that the County Council, based on information given here, would consider increasing their donation to the SBDC for 2010. They will be happy with any donation the County chooses to give, and continue working to build the economy of Howard County "one small business at a time".

#### **IN THE MATTER OF AN EMPLOYEE REPLACEMENT REQUEST FROM THE HEALTH DEPARTMENT:**

Health Department Director Kent Weaver submitted a request to fill the Nursing Manager / Preparedness Coordinator position vacated by employee Jennifer Sexton. Mr. Miller informed the Council that both he and Attorney Murrell can attest to the work done by Ms. Sexton, especially in the Disaster Preparedness arena as mandated by the State. The request to fill the Nursing Manager / Preparedness Coordinator was approved on a motion made by Mr. Papacek and seconded by Mr. Ortman.

#### **IN THE MATTER OF AN EMPLOYEE REPLACEMENT REQUEST FROM SUPERIOR COURT II:**

On behalf of Judge Jessup, Court Reporter / Office Manager Kathy Phipps submitted a request to fill the Court Secretary position that was vacated on July 31<sup>st</sup>. The separation from employment was unexpected and between the two office employees that remained, they have accrued forty hours of compensation time. The processing of court paperwork is about one week behind. The sheer volume of work and the fact that the office is behind schedule is causing problems because of the time sensitivity of many of the cases. At the conclusion of the request, a motion was made by Mr. Papacek to approve the request to fill the Court Secretary position. The motion was seconded by Stout and carried.

#### **IN THE MATTER OF HOWARD COUNTY RECYCLING DISTRICT:**

Mikki Jeffers, Director of the Howard County Recycling District submitted and distributed copies of the District's 2010 Proposed Operating Budget. In response to a question concerning the Recycling Board members, Ms. Jeffers identified them as follows:

Councilman Joseph Pencek  
Commissioner David Trine  
Commissioner Tyler Moore  
Mayor Greg Goodnight  
Ralph Bauer  
Joyce Higgenbottom  
Commissioner Bill Thompson

Ms. Jeffers reported that recycling services will increase dramatically next year. Electronic recycling has increased by 97% with 57,000 lbs just through June of this year. There was an increase of 425,000 tons of recycling through June 30<sup>th</sup> with an increase of 47% in tire recycling. There is also an increase of 19% in the school recycling program, as well as an increase in the municipal paper recycling program (city & county) of 21%. Mr. Miller reminded the Council that the creation of the Recycling District was in response to a mandate by the Federal Government to reduce the amount of waste going to landfills. It was the task of this District to reduce waste by 70% in twenty years. Ms. Jeffers reported that the goal was reached several years ago and the District keeps increasing services. The products received by the District are actually recycled and Ms. Jeffers receives monthly reports of where the materials have been distributed to. The electronics are not distributed overseas; everything remains local. The Recycling Board has approved the first and second drafts and may be making decreases at their September 15<sup>th</sup> meeting because the bids have been received. A motion was made by Mr. Pencek to approve the Proposed 2010 Recycling District Budget. The motion was seconded by Mr. Ortman. Mr. Papacek asked for a Point of Order on how this Council could give approval on a budget that was not yet final. Because of the Point of Order, Mr. Ortman withdrew his motion to second and Mr. Pencek withdrew the motion to approve the Recycling Proposed Budget for 2010. Mr. Miller directed the Council to discuss this budget during the budget hearings Wednesday and Thursday. Ms. Jeffers will be notified of the Council's decision.

#### **IN THE MATTER OF 2010 PROPOSED TOWNSHIP BUDGETS:**

At the July 28<sup>th</sup> meeting, the County Council gave a non-binding recommendation for Clay, Howard, Honey Creek and Taylor Townships; a recommendation was not given to Liberty Township (*please refer to page five, "In The Matter Of Township Budgets For the Calendar Year 2010", of the Regular Meeting minutes dated July 28, 2009*). The remaining Townships, Libraries and Towns are addressed as follows:

- Center Township: Councilman Wyman suggested that as this present meeting will be continued into the budget hearings, that the Council ask for more information and make a decision in the next few days. President Miller concurred.
- Ervin Township: A motion was made by Mr. Ortman, seconded by Mr. Papacek and carried to give a non-binding recommendation for Ervin Township.
- Harrison Township: A motion was made by Mr. Wyman to give a non-binding recommendation for Harrison Township. The motion was seconded by Mr. Ellison and carried.
- Monroe Township: A motion was made by Mr. Wyman, seconded by Mr. Stout and carried to give a non-binding recommendation for Monroe Township.
- Union Township: Union Township was given a non-binding recommendation on a motion made by Mr. Papacek and seconded by Mr. Ellison.
- City of Greentown: A motion was made by Mr. Wyman, seconded by Mr. Ortman and carried to give a non-binding recommendation for the 2010 proposed budget for the City of Greentown.
- Greentown Public Library: A non-binding recommendation was given for the Greentown Public Library's 2010 proposed budget on a motion made by Mr. Papacek and seconded by Mr. Stout.
- Kokomo Public Library: A motion was made by Mr. Ellison, seconded by Mr. Papacek and carried to give a non-binding recommendation to the Kokomo Public Library. Councilman Ortman abstained from voting.

**IN THE MATTER OF AN EMPLOYEE REPLACEMENT REQUEST FROM THE CLERK'S OFFICE:**

Clerk Mona Myers informed the Council that the person Superior Court II is planning to hire, is from the Clerk's Office. She now has a position that needs to be filled. This position is on the first floor, at the Criminal desk that handles Superior Court III. The two positions at the Criminal Desk handle 5,000 to 6,000 cases. A motion was made by Mr. Papacek, seconded by Mr. Stout and carried to approve the request to fill the position at the Criminal Desk in the first floor Clerk's Office.

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

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

1. **Commissary Report:** Sheriff Talbert submitted the Monthly Commissary Report for the month of July, 2009. The report shows a \$5,000.00 increase by the end of the month due, in part, to the popularity of phone cards. Sheriff Talbert has no intention of spending down the fund.
2. **Inmate E-mail:** The inmate e-mail capability was tested on Monday. The result was not perfect, but the Information Department kept working on it, with better results. He believes this system will work well for the inmates. He reported to the Council that there are some jails that will only allow inmate e-mails in lieu of the regular mail. This will be a work saver as well as generator of revenue.
3. **Jail School:** The Sheriff's Department assisted with a Jail School at North Central Indiana Law Enforcement Academy located at Grissom Aeroplex. Several of the Correctional Staff, as well as Attorney Murrell taught the classes. Tim Bilkey and representatives of the Drug Unit also taught, and this school meets the ILEA requirements. Sheriff Talbert commended Captain Vincent for his hard work.
4. **Howard County Police Retirement Plan Document:** Sheriff Talbert submitted a Police Retirement Plan Document for the Councilmen's signatures. This document is a reflection of changes to the plan design required by the IRS (seven items of change), as well as changes that were not required by the IRS (seven items of change). These changes do not affect the benefits payable under the Plan, nor will it limit the guaranteed period that a participant may elect. This Restatement must be approved by the County Council, Howard County Sheriff and the Merit Board by December 31, 2009. Mr. Miller stated that this document will be reviewed by Attorney Murrell and addressed later in the Hearing.

**IN THE MATTER OF THE RAINY DAY FUND:**

At the July 28<sup>th</sup> meeting, the Council approved Resolution No. 2009-HCCR-13, authorizing the transfer of excess levy funds into the County's Rainy Day Fund (*please refer to page four, "In The Matter Of Resolution No. 2009-HCCR-13", of the Regular Meeting minutes dated July 28, 2009*). At the last meeting, Mr. Pencek asked what the Rainy Day Fund could be used for. Mr. Murrell has reviewed the original Resolution to establish a Rainy Day Fund and found that it is technically deficient and does not contain a listing of purposes for the Fund. Mr. Murrell has prepared a Proposed Ordinance that corrects the technical difficulty of the original Resolution and allows the Council to designate purposes for the Fund, as mandated by Statute.

*On a motion made by Mr. Papacek and seconded by Mr. Ellison,  
the County Council meeting was recessed until  
8:15a.m. on Wednesday, August 26, 2009.*

\* \* \* \* \*

The meeting was reconvened on Wednesday, August 26, 2009, by President Richard Miller.

The following Office Holders and Department Heads appeared at the times scheduled to present detailed justification of their budget requests for 2010.

8:30 a.m.	001-030	Public Defender	Steve Raquet
8:45 a.m.	001-014	Superior Court I	Judge William Menges
	001-045	Unified Courts	Judge William Menges
	120-000	Drug Free Community Based Fund	Kathy Horton
9:15 a.m.	002-000	Highway Department	Ted Cain
	006-000	Cumulative Bridge	Ted Cain
	007-000	Local Road & Street	Ted Cain
9:30 a.m.	001-005	Sheriff	Marshall Talbert
	252-025	Jail / Juvenile COIT	Marshall Talbert
	115-000	Sheriff Work Program	Marshall Talbert

At this time, Sheriff Talbert submitted checks from the Department of Corrections for prisoner holds as follows: \$32,795 for December, 200; \$22,260.00 for January of 2009; \$13,965.00 for February, 2009; \$9,695.00 for March, 2009.

9:45 a.m.	001-006	Surveyor	Dan Minor
	132-000	Surveyor Perpetuation	Dan Minor
10:15 a.m.	001-012	Prosecuting Attorney	James Fleming
	001-036	Prosecutor IV-D	James Fleming
	186-000	Pre-Trial Diversion	James Fleming
	198-000	Law Enforcement Fund	James Fleming
	247-000	Prosecutor / Bad Check & Copy Fund	James Fleming
	508-000	Stop Domestic Violence Grant	James Fleming
	512-000	Drug Task Force Grant	James Fleming
10:30 a.m.	001-001	Clerk	Mona Myers
	001-016	Election Board	Mona Myers
	126-000	Clerk Title IV-D	Mona Myers
	700-000	Document Storage	Mona Myers
10:45 a.m.	010-000	Health Department	Kent Weaver
	137-000	Indiana Aids Fund	Kent Weaver
	215-000	Master Tobacco Grant	Kent Weaver
	269-000	QA Project Health Dept	Kent Weaver
	514-000	Local Health Maintenance	Kent Weaver
	932-000	Bio Public Health Coordinator Grant	Kent Weaver

**Policy For Rehire Requests:** At this time, Councilman Wyman made a motion, in light of the current hiring freeze, that any request for a position rehire be a written request and submitted to the Auditor five days prior to the next Council meeting, including a job description as well as the justification for hiring the position. The motion was seconded by Mr. Ortman. At the conclusion of ensuing discussion the motion was voted on with five yes votes and one no vote. The motion carried. Personnel Director Wanda McKillip asked for clarification of the offices this motion pertains to; if it does or does not include the public safety 24/7 operations of the Sheriff's Department, Kinsey Youth Center and Howard Haven. Chief Matron Loretta Moon clarified that in 24/7 Public Safety operations, a "Post position" is a position that must always be filled; it cannot be left empty. Discussion ensued, and Councilman Papacek expressed the opinion that he felt this requirement is a way to "micro-manage" the departments. At the conclusion of further discussion it was the consensus of the Council that the motion refers to Non-Post positions. Post positions would be required to inform the Council of position rehires on a monthly bases. That can be done through the Personnel Office. Mr. Murrell did remind the Council that the Clerk's Office is responsible to process paperwork form all the Courts, making it necessary for them to have their positions filled.

**Howard County Recycling 2010 Budget Discussion:** Mr. Murrell informed the Council that he has received new information concerning the Howard County Recycling District (*please refer to pages four and five of these minutes*). The Recycling Districts are now Special Taxing Districts, by action of a Special Session of the legislature. Their budgets and levy have to be submitted to the County Council for a binding approval before October 2<sup>nd</sup>. The Council can reduce or modify the budget. This is not like the Township and Library budgets that only need a non-binding approval. Mr. Murrell recommended that the Council call a special meeting after the Recycling Districts' Board Meeting for their final budget hearing on September 15th, and before October 2<sup>nd</sup>.

***The Council recessed the meeting to attend a luncheon at the Criminal Justice Center.  
The Council reconvened and observed the hearing schedule as follows.***

1:00 p.m.	001-011	Center Township Assessor	Sheila Pullen
1:15 p.m.	001-010	County Assessor	Jamie Shepherd
	011-000	Reassessment	Jamie Shepherd
	069-000	Sales Disclosure Fees	Jamie Shepherd
1:30 p.m.	001-009	Coroner	Jay Price
1:45 p.m.	001-022	County Museum	Kelly Karikoff
2:00 p.m.	001-027	Visitor Bureau	Peggy Hobson
2:15 p.m.	500-3221	Governmental Coordinating Council	Larry Ives
2:30 p.m.	001-021	Plan Commission	Glen Boise
2:45 p.m.	001-032	Soil & Water Conservation	Rene Weaver
3:00 p.m.	001-018	Maintenance Buildings & Grounds	Scott Reed
3:15 p.m.	001-004	Recorder	Linda Koontz
	144-000	Recorder Perpetuation	Linda Koontz
	232-000	Recorder ID Protection	Linda Koontz
3:30 p.m.	001-008	Superior Court II	Judge Stephen Jessup

**Ordinance 2009-HCCR-25:** At the August 25<sup>th</sup> meeting, Attorney Murrell informed the Council that he was preparing an amended Rainy Day Ordinance that will specify uses of the fund that was not addressed in the previous Ordinance (*please refer to page six of these minutes*). Mr. Murrell has added, "For any lawful purpose" to the amended Ordinance. A motion was made by Mr. Pencek, seconded by Mr. Ortman and carried to approve Ordinance No. 2009-HCCR-25.

**Sheriff Retirement Fund:** Mr. Papacek made a motion to approve the amendments to the Howard County Sheriff Retirement fund as submitted by Sheriff Talbert (*please refer to page six, item four, "In The Matter of Sheriff Department Issues", of these minutes*). The motion was seconded by Mr. Ortman and carried.

**Public Comment from Clee Oliver, 768 West County Road 00 North South:** Mr. Oliver thanked the Council for allowing the Public to attend the budget hearings. He holds the opinion that the more information people have, the less they question. He informed the Council of a website, Sunshine Review.org, that grades state and county government entities' according to the information they make available to the public. Howard County received a rating of D-, and Mr. Oliver offered ideas of information that could be put on the website, to increase our rating as well as the public's information.

*The hearing was recessed at 3:40 p.m. on a motion made by  
Mr. Papacek and seconded by Mr. Ortman. The Hearing will reconvene  
at 8:30 a.m. on Thursday, August 27, 2009.*

#### THURSDAY, AUGUST 27, 2009

8:30 a.m.	001-033	Superior Court III	Judge Douglas Tate
8:45 a.m.	001-013	Circuit Court	Judge Lynn Murray
9:00 a.m.	252-035	Kinsey Youth Center	Brent Kelley
	252-037	Kinsey Youth Center Residential	Brent Kelley
	252-038	Kinsey Youth Center Secure Detention	Brent Kelley
9:30 a.m.	104-000	Juvenile Probation	Don Travis
	177-000	Juvenile Probation Admin Fee	Don Travis
	190-000	Juvenile Informal Prob Fee	Don Travis
	001-034	Adult Probation	Don Travis
	105-000	Adult Probation User Fees	Don Travis
	176-000	Adult Probation Admin Fee	Don Travis
	185-000	Use Fees / Alcohol & Drug	Don Travis
9:45 a.m.	001-044	Superior Court IV	Judge George Hopkins
10:00 a.m.	001-015	Veteran Services	Robert Ladd
10:15 a.m.	001-029	Emergency Management	Larry Smith
	042-000	Sara Title Right to Know	Larry Smith
10:30 a.m.	001-007	County Agent	Susan Neher
10:45 a.m.	001-031	Information Systems	Terry Tribby
	500-001	EDIT Information Systems	Terry Tribby

**Kinsey Youth Center Rehire Request:** Director Brent Kelley asked permission to replace a secretarial position. A motion was made by Mr. Wyman, seconded by Mr. Papacek and carried to approve the rehire of a secretarial position.

**Veterans Service Position Rehire Request:** The employee who is currently filling the full time Administrative Assistant position will be retiring in December and Mr. Ladd requested that this position be rehired. A motion was made by Mr. Papacek to allow the Administrative Assistant position to be rehired as the position becomes available. The motion was seconded by Mr. Pencek and carried.

*The Council recessed the hearings for a luncheon at the Kinsey Youth Center and reconvened at 1:00 p.m. to continue the hearings.*

Councilman Stout and Councilman Ellison were not in attendance for this afternoon session. The hearings were continued as scheduled.

1:00 p.m.	001-023	County Commissioners	Dave Trine, William Thompson
	150-000	Cumulative Capital Development	and Tyler Moore
	500-000	EDIT	Dave Trine, William Thompson
	043-000	Jail Lease	and Tyler Moore
1:15 p.m.	001-003	Treasurer	Martha Lake
1:30 p.m.	001-023	Humane Society	Jean McGroarty
1:45 p.m.	001-028	Weights & Measures	Charlie Hackett
2:00 p.m.	001-017	Voter Registration	Carol Shallenberger / Shirley McCoy
2:15 p.m.	138-000	C.A.S.A.	Katina Silver
2:30 p.m.	001-027	Heritage Museum / Event Center	Jim Parsons
2:45 p.m.	015-000	MS4	Greg Lake
3:00 p.m.	001-002	Auditor	Ann Wells
	046-000	Electronic Data	Ann Wells
	108-000	Plat Book Fees	Ann Wells
	050-000	Jury Pay	

**Request To Hire Workers To Administer H1N1 Vaccine:** At the August 25<sup>th</sup> meeting, the Council approved the appropriation of fund 276, H1N1 Vaccine Fund, putting all funds into line item 03120, Contract Services (*please refer to page two, “In The Matter Of Ordinance No. 2009-HCCO-24 – Additional Appropriations” of these minutes*). Mr. Weaver has just had recent directives from the Federal Government to administer this grant and put workers into place as quickly as possible. Mr. Weaver comes before the Council for permission to hire part time nurses and clerk, possibly by contract. It was the consensus of the Council to direct Mr. Weaver to move forward in the contractual process and work with the Board of Commissioners and the Auditor’s office.

*The Budget Hearing is recessed until 8:00 a.m. Wednesday, September 9, 2009.*

\* \* \* \* \*

As the final meeting in the 2010 budget process, the meeting reconvened on Wednesday, September 9, 2009 at 8:00 a.m.

Those present included Council President Richard Miller, Vice President Paul Wyman, and Council members Stan Ortman, James Papacek, Joe Pencek and Jeff Stout.

The first business of the day is Additional Appropriations, Transfers and Amended Salary Ordinance, as follows.

**IN THE MATTER OF ORDINANCE NO. 2009-HCCO-26 – ADDITIONAL APPROPRIATIONS:**

Ordinance No. 2009-HCCO-26 – Additional Appropriations was read in full one time by Auditor Ann Wells and acted upon as follows:

<u>001</u>	<u>Howard County General Fund</u>	REQUESTED:	APPROVED:
<u>009</u>	<u>Howard County Coroner</u>		
02371.00	Other Supplies <i>Body Bags</i>	\$ 3,200.00	\$ 3,200.00
03263.04	Med & Hospital – Transport	\$ 700.00	\$ 700.00

Coroner Jay Price had justified these requests at the previous budget hearing meeting, and Mr. Miller reminded the Council of the request. A motion was made by Mr. Papacek, seconded by Mr. Ortman and carried to approve the requests as submitted. Councilman Stout abstained from voting.

<b>TOTAL COUNTY GENERAL ADDITIONALS</b>	<b>\$ 3,900.00</b>	<b>\$ 3,900.00</b>
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<u>182</u>	<u>Howard County Sheriff – Law Enforcement Training Fund</u>		
03213.00	Travel & Training	\$ 1,831.00	\$ 1,831.00

<u>515</u>	<u>Howard County Sheriff – Misdemeanant Fund</u>		
04725.00	Building Repair Carpet	\$ 1,525.00	\$ 1,525.00

Chief Matron Loretta Moon reminded that the request to appropriate \$1,831.00 in 03213.00, fund 182, is simply appropriating the money that is already in the cash fund. The money receipted into this fund comes from traffic warrants issued and Howard County receives \$3.00 of each warrant. The request of \$1,525.00 in the Misdemeanant Fund is to install carpeting on the walls of the Video Conferencing Room of the Criminal Justice Center. Sheriff Talbert commended Stout and Son for the fine job in installing the carpet.

A motion was made by Mr. Papacek to approve the request of \$1,831.00 in line item 04725.00, Building Repair. The motion was seconded by Mr. Pencek and carried.

A motion was made by Mr. Papacek, seconded by Mr. Ortman and carried to approve the request of \$1,525.00 in line item 04725.00.

#### **IN THE MATTER OF RESOLUTION NO. 2009-HCCR-17 – TRANSFERS:**

Resolution No. 2009-HCCR-17 – Transfers was read in full one time by Auditor Ann Wells and acted upon as follows:

	<b>Transfer From</b>	<b>To:</b>	<b>Amount Requested:</b>	<b>Approved:</b>
<u>001</u>	<u>Howard County General Fund</u>			
<u>030</u>	<u>Howard County Public Defender</u>			
01113.00	Deputy	01113.30 Deputy Public Defender	\$ 39,463.60	

This request is to transfer the funds necessary to complete the transaction that was submitted to the Council and approved at the July 28<sup>th</sup> meeting (*please refer to page three, “In The Matter Of The Public Defender Hiring Request”, of the Regular Meeting minutes dated July 28, 2009*).

The transfer was approved as submitted on a motion made by Mr. Papacek and seconded by Mr. Stout.

#### **IN THE MATTER OF SALARY ORDINANCE NO. 2009-HCCO-27 – AMENDING SALARY ORDINANCE FOR 2009:**

Salary Ordinance No. 2009-HCCR-27-Amending Salary Ordinance For 2009 was read in full one time by Auditor Ann Wells and acted upon as follows:

<u>001</u>	<u>Howard County General Fund</u>	Requested:	Approved:
<u>030</u>	<u>Howard County Public Defender</u>		
01113.00	Deputies (11) <i>Reduces 2 positions (-\$80,740.00)</i>	\$ (40,370.00)	\$ (40,370.00)
01113.30	Full Time Deputies (6) <i>Increases 2 positions (\$103,000.00)</i>	\$ 51,500.00	\$ 51,500.00

Salary Ordinance No. 2009-HCCO-27 – Amending Salary Ordinance For 2009 was approved on a motion made by Mr. Ortman and seconded by Mr. Papacek.

**IN THE MATTER OF 2010 PROPOSED TOWNSHIP BUDGET REQUESTS:**

Auditor Wells distributed copies of the 2010 Proposed Budgets for the Town of Russiaville, the City of Kokomo, and Jackson Township. A motion was made by Mr. Wyman to give non-binding approval to the 2010 Proposed Budget of the Town of Russiaville. The motion was seconded by Mr. Pencek and carried.

A motion was made by Mr. Papacek, seconded by Mr. Ortman and carried to give a non-binding approval to the 2010 Proposed Budget of Jackson Township.

\* \* \* \* \*

The final Budget Hearing proceeded with the Budget Estimate – Financial Statement – Proposed Tax Rate, submitted and reviewed with the Council by Chief Deputy Auditor Laurie Martin. At the close of ensuing discussion, the Council continued the hearing, progressing by department. The results of the process will be available on a Budget Worksheet in the Auditor’s Office. Issues were addressed and decisions were made as follows:

**Salary Increases For The Chief Deputy and First Deputy Positions Of The County And Center Township Assessors Offices:** A request was made during the budget hearings for an increase in the salaries of the Chief Deputy and First Deputy positions in the County and Center Township Assessors offices. This would put those positions on the same level as other administrative office positions, especially in the light of additional duties for both offices, as mandated by the State. At the conclusion of discussion a motion was made by Mr. Papacek to approve the salary increases for the positions of Chief Deputy and First Deputy in the Assessor Offices, as requested. The motion was seconded by Mr. Ellison and carried.

**Veterans Service Requests:** At the August 25<sup>th</sup> meeting the Council approved rehiring the Administrative Assistant position upon the retirement of the present Administrative Assistant (*please refer to page nine of this set of minutes*). A motion was made by Mr. Papacek to make the present part time position a full time position, giving the office two full time positions at \$25,000.00 each. The motion was seconded by Mr. Pencek and carried.

**Personnel Department Position Change:** Personnel Director Wanda McKillip requested that the Administrative Assistant Position in the Commissioners’ Budget (01120.00) be changed to Benefits Representative. At the conclusion of discussion a motion was made by Mr. Papacek, seconded by Mr. Ortman and carried to change the title from Administrative Assistant to Benefits Representative (01120.00).

**Transfer Of Funds To Edit:** At the conclusion of discussion pertaining to funds that had previously been appropriated from the EDIT Fund to supplement salary increases, a motion was made by Mr. Papacek to return to the original motion to appropriate \$500,000.00 from the EDIT Fund, in lieu of \$250,000.00. Because the EDIT Fund is under the authority of the Board of Commissioners, approval to amend the budget was given by Board President David Trine. The motion was seconded by Mr. Ortman and a vote was taken. The vote was four aye votes and two nay votes. The motion was carried.

**Appropriation Transfers Into County General to Juvenile/Jail COIT Fund:** A motion was made by Mr. Papacek to transfer appropriations in the following amounts from County General to the Jail/Juvenile COIT Fund:

FICA	\$150,000.00
PERF	\$150,000.00
Insurance	<u>\$200,000.00</u>
<b>Total</b>	<b>\$500,000.00</b>

The motion was seconded by Mr. Ortman and carried.

**Highway Fund:** A motion was made by Mr. Papacek, seconded by Mr. Stout and carried to approve the County Highway Budget.

**Cumulative Bridge Fund:** A motion was made by Mr. Papacek, seconded by Mr. Stout and carried to approve the Cumulative Bridge Fund.

**Local Road & Street Fund:** A motion was made by Mr. Stout, seconded by Mr. Pencek and carried to approve the Local Road and Street Fund.

**Health Department:** The proposed budget of the Health Department is close to \$20,000.00 more than the anticipated income for 2010. A motion was made by Mr. Papacek to reduce line items 01119.01 and 01117.01 in order to reduce the budget to below the anticipated income for 2010. The motion was seconded by Mr. Wyman and carried.

**Reassessment Fund:** The Reassessment Budget was approved on a motion made by Mr. Papacek and seconded by Mr. Ortman.

**Sales Disclosure Fund:** A motion was made by Mr. Papacek, seconded by Mr. Ellison and carried to approve the budget of the Sales Disclosure Fund.

**MS4 Fund:** The MS4 Budget was approved on a motion made by Mr. Ortman and seconded by Mr. Papacek.

**Sara Right-To-Know Fund:** A motion was made by Mr. Wyman to approve the Budget of the Sara Right-To-Know Fund. The motion was seconded by Mr. Stout and carried.

**Electronic Data Fund:** This budget was approved on a motion made by Mr. Papacek and seconded by Mr. Stout.

**Jury Pay Fund:** The Budget for the Jury Pay Fund was approved on a motion made by Mr. Wyman and seconded by Mr. Stout.

**Juvenile Probation:** A motion was made by Mr. Papacek to approve the Juvenile Probation Budget. The motion was seconded by Mr. Wyman and carried.

**Adult Probation:** A motion was made by Mr. Ortman to approve the Adult Probation Budget. The motion was seconded by Mr. Stout.

**Plat Book Fund:** A motion was made by Mr. Papacek, seconded by Mr. Stout and carried to approve the budget of the Plat Book Fund.

**Howard County Sheriff's Work Program:** This budget was approved on a motion made by Mr. Papacek and seconded by Mr. Ellison.

**Community Drug Free Program:** The proposed 2010 Budget for the Drug Free Program is approved on a motion made by Mr. Papacek and seconded by Mr. Stout.

**Clerk Title IV-D:** A motion was made by Mr. Papacek, seconded by Mr. Stout and carried to approve the proposed budget for the Clerk Title IV-D.

**Surveyor Perpetuation Fund:** This 2010 proposed budget is approved on a motion made by Mr. Ortman and seconded by Mr. Wyman.

**Indiana Aids Fund:** A motion was made by Mr. Ortman, seconded by Mr. Wyman and carried to approve the 2010 proposed budget.

**C.A.S.A.:** A motion was made by Mr. Wyman, seconded by Mr. Papacek and carried to approve the 2010 proposed budget for C.A.S.A.

**Cumulative Capital Fund:** This Fund's budget proposal was approved on a motion made by Papacek and seconded by Mr. Ellison.

**Information Systems:** A motion was made by Mr. Papacek to approve the proposed 2010 Budget. The motion was seconded by Mr. Pencek and carried.

**Adult Probation Administration Fees:** This fund's proposed budget for 2010 was approved on a motion made by Mr. Papacek and seconded by Mr. Ortman.

**Juvenile Probation Administration Fees:** A motion was made by Mr. Ortman, seconded by Mr. Pencek and carried to approve the 2010 proposed budget for the Juvenile Probation Administration Fees fund.

**Alcohol & Drug Fund:** A motion was made by Mr. Stout, seconded by Mr. Ellison and carried to approve the proposed budget for the Alcohol & Drug Fund.

**Pretrial Diversion Fund:** The proposed 2010 budget for this fund was approved on a motion made by Mr. Wyman and seconded by Mr. Ortman.

**Juvenile Informal Probation Fees:** A motion was made by Mr. Wyman, seconded by Mr. Stout and carried to approve the 2010 proposed budget.

**Howard County Law Enforcement Fund:** A motion was made by Mr. Papacek, seconded by Mr. Wyman and carried to approve the 2010 proposed budget of the Law Enforcement Fund.

**Master Tobacco Fund (Health):** A motion was made by Mr. Wyman to approve the 2010 proposed budget of the Master Tobacco Fund. The motion was seconded by Mr. Stout.

**ID-Protection Recorder:** This 2010 proposed budget was approved on a motion made by Mr. Papacek and seconded by Mr. Stout.

**Prosecutor / Bad Check & Copy Fund:** The proposed budget for this fund was approved on a motion made by Mr. Wyman and seconded by Mr. Ellison.

**Jail / Juvenile COIT Fund (025, 035, 037, 038):** After looking closely at the projected income for this fund and the ensuing discussion, a motion was made by Mr. Papacek and seconded by Mr. Pencek to approve the Jail / Juvenile COIT Fund's proposed 2010 budget. The Council voted with five aye votes and one nay vote. The motion carried.

**QA Project / Health:** This fund's 2010 proposed budget is approved on a motion made by Mr. Ortman and seconded by Mr. Papacek.

**EDIT Fund:** In the EDIT Fund the line items were addressed as follows:

03220.01 – Civic Center Miscellaneous Operating

A motion was made by Mr. Papacek, seconded by Mr. Ortman and carried to approve \$60,000.00

A motion was made by Mr. Papacek, seconded by Mr. Ellison and carried to request year-end statements of the organizations that receive contributions / miscellaneous operating expenses from the EDIT Fund: Kokomo Event Center, County Museum, Small Business Development Association, Greater Kokomo Economic Development Alliance, and the 4-H Association.

03228.00 – Greater Kokomo Economic Development Alliance

A motion was made by Mr. Papacek, seconded by Mr. Ellison and carried to approve \$81,000.00.

03543.00 – Ho Co Health Fair – Senior Flu Shots

A motion was made by Mr. Papacek, seconded by Mr. Ellison and carried to approve \$700.00.

A motion was made by Mr. Wyman, seconded by Mr. Ortman to approve \$100,000.00 for a Downtown Development. A vote was taken as follows:

Mr. Stout	Aye	Mr. Ellison	Nay
Mr. Wyman	Aye	Mr. Papacek	Nay
Mr. Ortman	Aye	Mr. Pencek	Nay
		Mr. Miller	Nay

The motion was defeated.

**S.T.O.P Grant:** The proposed 2010 Budget is approved on a motion made by Mr. Ortman and seconded by Mr. Papacek.

**Drug Task Force:** A motion was made by Mr. Wyman, seconded by Mr. Pencek and carried to approve the 2010 Proposed Budget for the Drug Task Force.

**Local Health Maintenance Fund:** A motion was made by Mr. Papacek to approve the proposed 2010 budget. The motion was seconded by Mr. Pencek and carried.

**Document Storage Fee:** A motion was made by Mr. Papacek, seconded by Mr. Ortman and carried to approve the 2010 Proposed Budget.

**Bio Hazard Public Health Coordinator Grant:** This proposed 2010 Budget was approved on a motion made by Mr. Papacek and seconded by Mr. Wyman.

**Employee 2010 Holiday Schedule Discussion:** In planning for the 2010 Holiday Schedule, for the record, Councilman Wyman informed the Council that the Haynes / Apperson Festival will be held July 1, 2, & 3, 2010. Attorney Murrell issued a Point Of Order, reminding the Council that Holidays and days off are matters of policy, and policy is under the jurisdiction of the Board of Commissioners. The Council has jurisdiction of matters of compensation. A motion was made by Mr. Papacek to appoint a committee of Commissioners and Councilmen to work out the Holiday and days off scheduling policy. The motion died for the lack of a second.

**Non Binding Resolution For the 2010 Proposed Budget of the City of Kokomo:** At the conclusion of discussion pertaining to a proposed budget that is more than projected income, a motion was made by Mr. Papacek, seconded by Mr. Ellison and carried to issue a Non Binding Resolution for the 2010 Proposed Budget of the City of Kokomo.

**2010 Proposed Budget For All Funds:** A motion was made by Mr. Papacek and seconded by Mr. Ortman to approve the 2010 Proposed Budget as it stands in total, with County General amounting to \$18,245,029.00. A vote was taken with a tally of five aye votes and one nay vote. The motion carried and the budget was signed.

There being no other business to come before the Council at this time, the meeting was adjourned at 5:00 p.m.

**HOWARD COUNTY COUNCIL:**

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RICHARD A. MILLER, PRESIDENT

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PAUL G. WYMAN, VICE PRESIDENT

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JAMES T. PAPACEK, COUNCILMAN

---

LESLIE ELLISON, COUNCILMAN

---

STANLEY ORTMAN, COUNCILMAN

---

JEFFREY STOUT, COUNCILMAN

---

JOSEPH PENCEK, COUNCILMAN

ATTEST:

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ANN WELLS, AUDITOR

Howard County Council Budget Hearings August 25, 26, 27 & September 9, 2009