

## **HOWARD COUNTY BOARD OF COMMISSIONERS' MEETING SEPTEMBER 6, 2016**

The Howard County Board of Commissioners met in Regular Session on Tuesday, September 6, 2016, at 4:00 p.m., in Hearing Room 338 of the Howard County Administration Center. Those in attendance included President Paul Wyman and Vice President Tyler Moore. Also in attendance were County Attorney Larry Murrell, Assistant County Attorney Alan D. Wilson, and Auditor Martha Lake. Commissioner Brad Bray was not in attendance.

*Due to the absence of Commissioner Brad Bray, and for the matter of accomplishing the business of the County, President Paul Wyman vacated the chair in order to second any motion made during this meeting.*

The meeting was called to order by Sheriff Steve Rogers and conducted by President Wyman, who also led in the Pledge of Allegiance. Vice President Tyler Moore offered a word of prayer.

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

The minutes of the August 15, 2016 Regular Meeting, having been previously submitted and reviewed, were approved as submitted on a motion made by Mr. Moore, seconded by Mr. Wyman and carried.

### **IN THE MATTER OF SPECIAL RECOGNITION:**

At this time Mr. Wyman and Mr. Moore gave special recognition and appreciation to the following entities for their dedication and assistance during the tornados that hit Howard County on Wednesday, August 24<sup>th</sup>:

- 1) Sheriff Steve Rogers and Gary Bates, and the employees of the Sheriff's Department and Dispatch Office
- 2) Howard County Inmate Work Crew
- 3) EMA Director Janice Hart, all employees and volunteers of the Emergency Management Agency
- 4) City of Kokomo Police Department and Fire Department
- 5) Engineer / Superintendent Ted Cain and the Howard County Highway Department, and City of Kokomo Street Department and employees
- 6) Howard County Maintenance Department and Superintendent Bill Stonestreet
- 7) Jennifer Vary Brower and Howard Haven employees for keeping residents safe during the tornado
- 8) Terry Tribby and the employees of the Information Systems Department
- 9) All County agencies and all Howard County citizen volunteers
- 10) Indiana Department of Corrections and Indiana Department of Transportation
- 11) Volunteers from surrounding counties

The City of Kokomo and Howard County worked together, leading to a good recovery.

### **IN THE MATTER OF DEPARTMENTAL REPORTS:**

#### **HIGHWAY DEPARTMENT:**

County Highway Engineer / Superintendent Ted Cain submitted Supplemental Agreement No. 1 Design and R/W Engineering Services Des No. 0710021. This 1<sup>st</sup> Supplemental Agreement to the original Local Public Agency agreement with Butler, Fairman and Seufert, for engineering design of the Judson Road Extension, is for an additional 1100 feet of length added to the project. The Supplemental Agreement increases the Not-to-exceed amount from \$253,130.00 to \$273,130.00. A motion was made by Mr. Moore to approve the Supplemental Agreement No. 1, Des No. 0710021, for an additional \$20,000.00, not to exceed \$273,130.00, as an addition to the Judson Road Project. The motion was seconded by Mr. Wyman and carried.

#### **PLAN COMMISSION:**

- 1) Plan Commission Director Greg Sheline submitted Case 8-CP-16, approval for one lot in Warner Homestead Subdivision, located at 1735 North CR 400 East, Kokomo, Indiana. The Plan Commission Board forwarded a favorable recommendation and there was no remonstrance. A motion was made by Mr. Moore, seconded by Mr. Wyman and carried, to approve Case 8-CP-16 as submitted.
- 2) Mr. Sheline submitted Ordinance No. 2016-BCCO-31, an ordinance to re-zone property located at 1735 North CR 400 East, from AG (Agricultural) to RR (Rural Residential). This property is owned by John & Mira Warner.

The Plan Commission Board forwarded a favorable recommendation, and there was no remonstrance to this request. A motion was made by Mr. Moore, seconded by Mr. Wyman and carried to approve Ordinance No. 2016-BCCO-31, the rezoning of property located at 1735 North CR 400 East, as submitted.

**MAINTENANCE DEPARTMENT:**

Buildings and Grounds Superintendent Bill Stonestreet informed the Commissioners that last week the Government Center lost one of the compressors on its air conditioning unit. The Maintenance Department attempted a Band-Aid fix until permanent repairs could be made. The permanent repairs will cost around \$13,000.00, including the use of a crane for the unit that weighs about 500 lbs. There was a core charge of \$3,767.74 that will be refunded. Mr. Stonestreet would like to pay these charges from the Cumulative Capital Fund, 1138-000-04724.00. A motion was made by Mr. Moore to approve the purchase and installation of a new compressor on the roof of the Government Center, in an amount not to exceed \$13,000.00, as presented. The motion was seconded by Mr. Wyman and carried.

**IN THE MATTER OF CLAIMS AND REPORTS:**

Auditor Martha Lake submitted the following claims and reports for the Commissioners' information and approval:

1. **Salary Claims:** Ms. Lake submitted the Salary, Hourly, and Overtime claims, payable September 9 and 16, 2016, in the amount of \$382,398.46 each. A motion was made by Mr. Moore, seconded by Mr. Wyman and carried to approve the Salary Claims as submitted.
2. **Operating Claims:** The Commissioners' Operating Claims, payable today, in the amount of \$612,657.00, were submitted and approved on a motion made by Mr. Moore, seconded by Mr. Wyman and carried.
3. **Confirm Signature on Early Payment Claims:** Ms. Lake submitted two early paid claims: the first for Postage for Treasurer Notices, in the amount of \$1,647.49; the second to the North Central Indiana Regional Planning Council, in the amount of \$63,896.00. A motion was made by Mr. Moore to ratify the President's signature on the early paid claim to the North Central Regional Planning Council. The motion was seconded by Mr. Wyman and carried. A motion was made by Mr. Moore, seconded by Mr. Wyman and carried to approve the signature of President Wyman on the early paid postage claim.
4. **Monthly Reports:** Ms. Lake submitted the Recorder's Monthly Report for the month ending August 31, 2016. Ms. Lake also submitted the Weights and Measurers Report for the month of July 16, 2016 – August 15, 2016. Both reports were received as submitted on a motion made by Mr. Moore, seconded by Mr. Wyman and carried.
5. **Ratify Signature on Temporary State of Emergency:** Ms. Lake submitted "An Order Declaring a Temporary State of Emergency In Kokomo and Howard County, Indiana", at 5:20 p.m. the 24<sup>th</sup> day of August, 2016. Also submitted was the Supplemental Order, closing all roads in Howard County and Kokomo until 10:30 p.m., ordered at 9:00 p.m. She asked that President Wyman's signature be confirmed on both orders. A motion was made by Mr. Moore, seconded by Mr. Wyman and carried to confirm President Wyman's signature on both Orders Declaring a Temporary State of Emergency in Kokomo and Howard County, Indiana.
6. **Emergency Claim:** On behalf of the IS Department, Mr. Moore submitted an invoice for payment from Wireless Networking Solutions, Inc., in the amount of \$16,808.95. Mr. Tribby will be paying \$5,992.00 from the IS account. He is requesting that the Board of Commissioners approve payment of the remaining amount from the Cumulative Capital Fund. A motion was made by Mr. Moore, seconded by Mr. Wyman and carried to approve the invoice from Wireless Networking Solutions, Inc. with \$10,816.95 to be paid from the Commissioners' Equipment line item (1138-00004000.00) from the Cumulative Capital Fund. Also submitted was an Invoice from CDW Government, in the amount of \$1,134.24. A motion was made by Mr. Moore to approve the payment of the CDW Government invoice, in the amount of \$1,134.24, from the Cumulative Capital Fund, Commissioner Equipment Line item (1138-000-04000.00). The motion was seconded by Mr. Wyman and carried.

**IN THE MATTER OF COUNTY ATTORNEY ISSUES:**

County Attorney Larry Murrell submitted the following issues for the Commissioners' information and approval:

1. **Amendment To B142-2004 Agreement:** Mr. Murrell submitted the Amendment to B142-2004 Agreement between Howard County Commissioners and Pyramid Architecture-Engineering dated August 18, 2014 for the P-25 Communications Project. The original agreement was for the professional services of Terry Burnworth as consultant, to be accomplished in two phases. The first phase was the bidding phase and the second was the implementation phase. The implementation phase has continued longer than first anticipated and so negotiations have been made to increase the implementation time period and contract fee. The final fixed fee will be \$72,000.00, and the final out-of-pocket expenses are not to exceed \$10,000.00. A motion was made by Mr. Moore to approve the Amended Agreement with Pyramid Consulting as presented, and authorize the President to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Wyman and carried.
  
2. **Covenant Acknowledgment:** On behalf of the County Museum, Mr. Murrell submitted a Covenant Acknowledgment Form. This form is needed to accompany the application for grant funding that Director Dave Broman is seeking to help underwrite the Seiberling Mansion roof replacement project. The Grant funding requires that Howard County place Covenants on the property for a period of ten (10) years. The covenants will assure that the property maintain its historical appearance and that there will be no significant changes in the property for the ten years. A motion was made by Mr. Moore to approve the Covenant Acknowledgment Form, for HPF Funds, and authorize President Wyman to sign on behalf of the Board of Commissioners. The motion was seconded by Mr. Wyman and carried.
  
3. **Ordinance No. 2016-BCCO-33:** Mr. Murrell submitted Ordinance No. 2016-BCCO-33, an ordinance prescribing the specific manner of exercising a power authorized under IC 36-1-3. Indiana Code authorizes the County Executive to appoint four (4) members to the Community Corrections Advisory Board, but makes no provision for the removal of any of those members prior to the expiration of their term. This ordinance grants the authority needed to remove an appointed member of the Community Corrections Board who has been appointed by the Board of Commissioners. A motion was made by Mr. Moore, seconded by Mr. Wyman and carried to approve Ordinance No. 2016-BCCO-33, giving the Board of Commissioners Home Rule over appointments to the Community Corrections Advisory Board.

**IN THE MATTER OF BOARD OF COMMISSIONERS ISSUES:**

**COMMISSIONER MOORE:**

Commissioner Moore presided over the Township Assistance Hearing held last Friday, September 2<sup>nd</sup>, at 11:30 a.m. The hearing was scheduled on behalf of Ms. Tomika Lynn Burks, of Center Township. Mr. Moore heard testimony from Ms. Burks, Mr. Antoine Owens, and Center Township Trustee's Office employee Connie Longshore. This appeal was long and involved, but it did enlighten some practices of the Township office that may be subject to review. Although it was a helpful meeting, upon hearing the testimony of both sides, Mr. Moore moves to uphold the denial of the Township Trustee. The motion was seconded by Mr. Wyman and carried.

*There being no further business to come before the Board of Commissioners at this time,  
the meeting was adjourned at 4:31 p.m. on a motion made by  
Mr. Moore, seconded by Mr. Wyman and carried.*

**HOWARD COUNTY BOARD OF COMMISSIONERS:**

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

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TYLER O. MOORE, VICE PRESIDENT

ATTEST:

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ROBERT B. BRAY, MEMBER

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MARTHA J. LAKE, AUDITOR  
Howard County Commissioner Meeting September 6, 2016