

HOWARD COUNTY COUNCIL REGULAR MEETING DECEMBER 7, 2018

The Howard County Council met in Regular Session on Tuesday, December 7, 2018, at 4:00 p.m. in Hearing Room 338 of the Howard County Administration Center. Those in attendance included President Richard Miller, Vice-President James Papacek, and members Stan Ortman, John Roberts, Dwight Singer, and Jeffrey Stout. Also in attendance were Howard County Auditor Martha Lake and Howard County Attorney Alan Wilson. Councilman Les Ellison was absent from the meeting.

The meeting was called to order by Howard County Sheriff’s Captain Jerry Asher and conducted by President Richard Miller.

Councilman Dwight Singer led the Pledge of Allegiance. Councilman John Roberts offered a word of prayer.

IN THE MATTER OF COUNCIL COMMENT:

Scott Maple narrated “When the Frost Is on the Punkin” by James Whitcomb Riley and “Dividends” by Tramp Star. Mr. Miller thanked his family (wife Marsha, and daughters Michelle, Cinda and Kristen) for attending this meeting. .

IN THE MATTER OF APPROVAL OF MINUTES:

The minutes November 27, 2018, regular meeting, having been previously submitted and reviewed, were approved as submitted on a motion made by Mr. Singer. Vice-President James Papacek seconded the motion, and the motion carried.

IN THE MATTER OF ORDINANCE NO. 2018-HCCO-39– ADDITIONAL APPROPRIATIONS FOR 2018:

Auditor Martha Lake read Ordinance No. 2018-HCCO-39 – Additional Appropriations for 2018 through one time, and it was acted upon as follows:

		<u>Amount Requested</u>	<u>Amount Approved</u>
	<u>Additional Appropriations:</u>		
<u>1000</u>	<u>HOWARD COUNTY GENERAL FUND:</u>		
<u>0005</u>	<u>Howard County Sheriff’s Department:</u>		
11907	OT Deputies	\$ 40,000.00	\$ 40,000.00
	Total Sheriff’s Dept.:	\$ 40,000.00	\$ 40,000.00
<u>0203</u>	<u>Howard County Superior Court III:</u>		
11800	Overtime	\$ 2,000.00	\$ <u>withdrawn</u>
	Total Superior Court III:	\$ 2,000.00	\$ <u>withdrawn</u>
<u>0204</u>	<u>Howard County Superior Court IV:</u>		
31210	Service Contracts	\$ 3,500.00	\$ 3,500.00
	Total Superior Court IV:	\$ 3,500.00	\$ 3,500.00
<u>0225</u>	<u>Howard County Unified Courts:</u>		
35450	Return of Fugitives	\$ 10,000.00	\$ 10,000.00
	Total Unified Courts:	\$ 10,000.00	\$ 10,000.00
	Total General Fund:	\$ 55,500.00	\$ 53,500.00
<u>1114</u>	<u>HOWARD COUNTY LIT – SPECIAL PURPOSE FUND:</u>		
<u>0380</u>	<u>Sheriff - Jail Department:</u>		
12200	OT Corrections Officers	\$ 150,000.00	\$ 150,000.00

Total LIT Special Purpose Fund-Jail: \$ 150,000.00 \$ 150,000.00

1154 HOWARD COUNTY RECORDER’S ENHANCED ACCESS FUND:
 31210 Contract Services – Fidlar Enhanced Access Fees \$ 8,000.00 \$ 8,000.00
Total Recorder’s Enhanced Access Fees Fund: \$ 8,000.00 \$ 8,000.00

1212 HOWARD COUNTY COURT APPOINTED SPECIAL ADVOCATES FUND:
 11700 Part-time \$ 10,000.00 \$ 10,000.00
 15210 FICA \$ 2,600.00 \$ 2,600.00
Total Court Appointed Special Advocates Fund: \$ 12,600.00 \$ 12,600.00

7331 HOWARD COUNTY RECORDER’S ENHANCED ACCESS FUND:
 12305 Dispatch Overtime \$ 75,000.00 \$ 75,000.00
Total Public Safety - Dispatch Fund: \$ 75,000.00 \$ 75,000.00

TOTAL ADDITIONAL APPROP. ALL FUNDS: \$ 301,100.00 \$ 299,100.00

1. Howard County Matron Loretta Moon stated the account line for OT Deputies (General Fund) is currently in the negative by \$12,000, and the account line OT Corrections Officers (Jail Juvenile Fund) is \$16,000.00 short. Ms. Moon wants to make sure there are enough funds available through the end of the year. Changes in personnel and systems have made estimating the amount needed more difficult. Mr. Papacek made a motion to approve 1000.11907.000.0005 OT Deputies in the amount of \$40,000.00 and 1114.12200.000.0380 OT Corrections Officer in the amount of \$150,000.00. Councilman Jeff Stout seconded the motion, and the motion carried. Mr. Miller congratulated Ms. Moon on her retirement at the end of the year. Ms. Moon stated that it has been an honor to serve.
2. Superior Court III Judge Douglas Tate stated that Superior Court III was withdrawing the request for overtime.
3. Judge Tate stated that Superior Court IV had a jury trial where a defendant requested to represent himself at the last minute. Time constraints prevented continuing the case. A defendant representing himself leads to many complications later on appeal. The defendant did not request a public defender so Judge Tate asked if Attorney Rosselot could be a stand by council and help with procedures or subpoenas. Attorney Rosselot was not a public defender employee and was not hired by the defendant. The court directed Attorney Rosselot, and the court needs to reimburse Attorney Rosselot for his representation. Money was not available to pay for this service. Councilman Stan Ortman made a motion to approve \$3,500.00 to 1000.31210.000.0204 Service Contracts. Mr. Singer seconded the motion, and the motion carried.
 Judge Tate also cited the November 28 jail population for the respective years: population of 343 in 2015, population of 450 in 2016, population of 477 in 2017, and population of 397 in 2018. The work release program seems to alleviate the strain on the jail population. As of December 2, 2018, 193 people have participated in the work release program. The average stay is 64 days. This translates to over 12,000 nights not used by the Howard County Criminal Justice Center. Judge Tate thanked Mr. Miller for all of his work for Howard County.
4. Superior Court I Judge William Menges spoke for the Unified Courts Return of Fugitives line item. The number of additional/reduction appropriation requests has decreased with the judges sharing the unified court account lines. Psychiatric resources are the only other item that has requested additional money since the unified court budget began. Mr. Papacek made a motion to approve 1000.35450.000.0225 Return of Fugitives in the amount of \$10,000.00. Mr. Singer seconded the motion, and the motion carried. Judge Menges commended Mr. Miller on his work and sense of humor.
5. Recorder Jennifer Jack explained the cost of online access has increased proportionally with the number of online users. The Recorder’s Enhanced Access Fund has a balance of over \$75,000.00. Ms. Jack requested additional money for the additional customer use. Mr. Stout made a motion to approve in

1154.31210.000.0000 Contract Services in the amount of \$8,000.00. Mr. Roberts seconded the motion, and the motion carried. Ms. Jack wished Mr. Miller well.

6. Court Appointed Special Advocate Director Katina Silver stated that the capacity grant was approved. It was not part of the 2018 budget since the status of the grant was not known at budget time. Ms. Silver asked to move the grant money into account line 11700 Part-time and account line 15210 FICA. Mr. Papacek made a motion to approve Court Appointed Special Advocate Fund 1212 to approve account line 11700 Part-time \$10,000.00 and account line 15210 FICA \$2,600.00. Mr. Stout seconded the motion, and the motion carried.
7. Howard County E911 Director Gary Bates asked for an additional \$75,000.00 for Public Safety Fund 7331. Mr. Papacek asked about the overtime costs, since the salaries increased. Mr. Bates thought overtime decreased, however, employee changes make it difficult to track. Two employees changed from full-time to part-time. One former full-time employee returned. The current salaries compare well with other similar size counties. Mr. Papacek made a motion to approve in account line 7331.12305.000.0000 Dispatch Overtime in the amount of \$75,000.00. Mr. Singer seconded the motion, and the motion carried. Mr. Bates commended Mr. Miller on a job well done and his leadership in public safety. Mr. Miller and Mr. Bates praised all the Councilman for their support of public safety.

IN THE MATTER OF RESOLUTION NO. 2018-HCCR-26 – TRANSFERS:

Auditor Martha Lake read Resolution No. 2018-HCCR-26-Transfers through one time, and it was acted upon as follows:

	Transfer From:	Transfer To:	<u>Amount Requested</u>	<u>Amount Approved</u>
<u>1000</u>	<u>HOWARD COUNTY GENERAL FUND:</u>			
<u>0000</u>	<u>Howard County Benefits Dept.:</u>			
15220	PERF	15230 Employee Insurance	\$ 300,000.00	\$ 300,000.00
<u>0006</u>	<u>Howard County Surveyor’s Office:</u>			
11700	Part-time	31200 Contract Services	\$ 2,351.00	\$ 2,351.00
<u>0007</u>	<u>Howard County Coroner’s Office:</u>			
23230	Batteries	11700 Part-time	\$ 1,000.00	\$ 1,000.00
23210	Gas, Oil, Lube	11700 Part-time	\$ 2,000.00	\$ 2,000.00
<u>0010</u>	<u>Howard County Voter Registration Dept.:</u>			
11700	Part-time	11107 Major Department Head	\$ 1,500.00	\$ 1,500.00
11725	Part-time	11107 Major Department Head	\$ 1,495.00	\$ 1,495.00
11725	Part-time	11108 Major Department Head	\$ 5.00	\$ 5.00
<u>0232</u>	<u>Howard County Circuit Court:</u>			
11700	Part-time	11800 Overtime	\$ 2,000.00	\$ 2,000.00
<u>1212</u>	<u>HOWARD COUNTY COURT APPOINTED SPECIAL ADVOCATES FUND:</u>			
32620	Professional Fees	11700 Part-time	\$ 5,000.00	\$ 5,000.00
23713	Recruitment Supplies	11700 Part-time	\$ 2,000.00	\$ 2,000.00
35122	Liability Insurance	11700 Part-time	\$ 2,500.00	\$ 2,500.00
<u>2501</u>	<u>HOWARD COUNTY DURG AND ALCOHOL FUND:</u>			
11723	PT Financial Clerk	11720 PT Financial Clerk	\$ 4,504.61	\$ 4,504.61
11244	Probation Officer	11243 Probation Officer	\$ 2,166.00	\$ 2,166.00

11245	Probation Officer	11243	Probation Officer	\$	1,224.00	\$	1,224.00
12004	Probation Officer	11243	Probation Officer	\$	1,000.00	\$	1,000.00

- Howard County Auditor Martha Lake explained that this is a precautionary measure. The insurance payment fund account line has a balance of approximately \$400,000.00. The weekly payments for our self-paid insurance claims are hard to predict, but she is hoping this transfer of money will be unnecessary.
- Howard County Surveyor Dave Duncan explained that this transfer is for preparation of legal documents by Attorney Larry Murrell. Howard County Attorney Alan Wilson then reviews the documents. Mr. Duncan also wished Mr. Miller a happy retirement.
- Howard County Coroner Steve Seele asked to move money to the part-time line due to the tragedies over the past few months, and the training for a new deputy coroner. Mr. Seele also thanked Mr. Miller for his guidance and support of the coroner's office.
- Auditor Lake explained that when a former Voter Registration Department Head retired her vacation time and other costs were paid out of this line. The former department head had worked for the Clerk's office for several years prior to retirement.
- Circuit Court Judge Lynn Murray asked for money to be transferred from the part-time account to the court reporters to pay overtime. This is the first time in 17 years that she has requested overtime. In the past, comp time was able to be used instead of overtime. Unfortunately, the current court demands require additional money to abide by federal law and county policy. This is a transfer of money that has already been appropriated. Judge Murray also thanked Mr. Miller for his work with Circuit Court and juvenile issues.
- Ms. Silver explained that the money is needed to cover additional funds to pay part-time staff. Currently there are six full-time staff and two part-time staff members to cover the workload. Mr. Miller asked how many children are being represented by a CASA volunteer. Ms. Silver stated there are 180 children. Ms. Silver thanked her staff for their work. Ms. Silver also thanked Mr. Miller for his service.
- Community Supervision Director Dustin DeLong stated that the transfer of funds was due to using an incorrect line item. The other transfer was from a change in staff for the individual promoted to assistant chief.
- Mr. Papacek made a motion to approve Resolution NO. 2018-HCCR-26 as read. Mr. Ortman seconded the motion, and the motion carried.

IN THE MATTER OF SALARY ORDINANCE NO. 2018-HCCO-40– AMENDING SALARY ORDINANCE FOR 2018:

Auditor Martha Lake read Salary Ordinance No. 2018-HCCO-40 – Amending Salary Ordinance for 2018 through one time, and it was acted upon as follows:

		<u>Amount Requested</u>	<u>Amount Approved</u>
1000	<u>GENERAL FUND:</u>		
0000	<u>Howard County Benefits Dept.:</u>		
15220	PERF	\$ (300,000.00)	\$ (300,000.00)
15230	Employee Insurance	\$ 300,000.00	\$ 300,000.00
0005	<u>Howard County Sheriff's Dept.:</u>		
11907	OT Deputies	\$ 40,000.00	\$ 40,000.00
0006	<u>Howard County Surveyor's Office:</u>		
11700	Part-time	\$ (2,351.00)	\$ (2,351.00)

<u>0007</u>	<u>Howard County Coroner's Office:</u>		
11700	Part-time	\$ 3,000.00	\$ 3,000.00
<u>0010</u>	<u>Howard County Voter's Registration Dept.:</u>		
11700	Part-time	\$ (1,500.00)	\$ (1,500.00)
11725	Part-time	\$ (1,500.00)	\$ (1,500.00)
11107	Major Department Head	\$ 2,995.00	\$ 2,995.00
11108	Major Department Head	\$ 5.00	\$ 5.00
<u>0203</u>	<u>Howard County Superior Court III:</u>		
11800	Overtime	\$ 2,000.00	\$ Withdrawn
<u>0232</u>	<u>Howard County Circuit Court:</u>		
11700	Part-time	\$ (2,000.00)	\$ (2,000.00)
11800	Overtime	\$ 2,000.00	\$ 2,000.00
<u>1212</u>	<u>HOWARD COUNTY COURT APPOINTED SPECIAL ADVOCATE FUND:</u>		
11700	Part-time	\$ 19,500.00	\$ 19,500.00
15210	FICA	\$ 2,600.00	\$ 2,600.00
<u>1114</u>	<u>HOWARD COUNTY LIT- SPECIAL PURPOSE FUND:</u>		
<u>0380</u>	<u>Jail</u>		
12200	OT Correctional Officers	\$ 150,000.00	\$ 150,000.00
<u>2501</u>	<u>HOWARD COUNTY DRUG AND ALCOHOL FUND:</u>		
11723	PT Financial Clerk	\$ (4,504.61)	\$ (4,504.61)
11244	Probation Officer	\$ (2,166.00)	\$ (2,166.00)
11245	Probation Officer	\$ (1,224.00)	\$ (1,224.00)
12004	Probation Officer	\$ (1,000.00)	\$ (1,000.00)
11720	PT Financial Clerk	\$ 4,504.61	\$ 4,504.61
11243	Probation Officer	\$ 4,390.00	\$ 4,390.00
<u>7331</u>	<u>HOWARD COUNTY PUBLIC SAFETY DISPATCH FUND:</u>		
12305	OT Dispatchers	\$ 75,000.00	\$ 75,000.00

Mr. Ortman made a motion to approve Salary Ordinance 2018-HCCO-40 as presented with the correction. Mr. Stout seconded the motion, and the motion carried.

IN THE MATTER OF NEW BUSINESS:

1. Auditor Lake presented the 2019 Salary Ordinance. Mr. Ortman made a motion to approve 2018-HCCO-41 2019 Salary Ordinance as presented. Mr. Papacek seconded the motion, and the motion carried.
2. Auditor Lake updated the Council on the 2017 Audit by the State Board of Accounts. The final meeting for the 2017 review has been set for 9:00 a.m. on Thursday, December 20, 2018. All of the Councilmen and Howard County Attorney Alan Wilson were invited to attend.
3. Auditor Lake explained that when State form 1782 came back, \$100,000.00 had been cut from the levies. The Council needs to be informed about the change in a public meeting. The meeting will be held on Wednesday, December 12, 2018, at noon.

IN THE MATTER OF COUNCIL COMMENTS:

1. Mr. Papacek met Ricard Miller in 1982. Mr. Papacek has looked up to Mr. Miller. Mr. Papacek has discussed county business with Mr. Miller for many years. Mr. Papacek thanked Mr. Miller for serving with him. Mr. Miller has placed God and family above all else. Mr. Papacek commended Mr. Miller for leading the County

out of bankruptcy and getting millions of dollars returned to the county. Mr. Papacek presented Richard Miller with a small token of their appreciation.

2. Mr. Papacek presented Richard Miller with the Sagamore of the Wabash Award from the state of Indiana. The Sagamore of the Wabash Award is an award for outstanding service.
3. Mr. Singer recalled many wonderful times that he and Mr. Miller had shared throughout the years. Mr. Singer thanked Mr. Miller for his leadership during turbulent times. Mr. Singer also wished Mr. Miller's wife and daughters well.
4. Mr. Stout commented on the significance of the number 41 in: a) December 7, 1941, Pearl Harbor Day, b) Mr. Miller's 41 years of service, and c) laying to rest our 41st president. Mr. Stout commended Mr. Miller for being respectful of others even when opinions or experience levels differed. Mr. Stout also appreciated Mr. Miller's love for family.
5. Mr. Roberts thanked Mr. Miller for his kindness, wisdom and love of family.
6. Mr. Ortman thanked Mr. Miller as a friend, neighbor, and family-man.
7. Auditor Lake thanked Mr. Miller for his love of family and God. Ms. Lake also commended Mr. Miller for his desire to do things right financially and to provide services to people in Howard County. Auditor Lake also thanked Mr. Miller for his thinking, understanding, mentoring, teaching, friendship, and leadership.
8. Mr. Wyman congratulated Mr. Miller on his Sagamore of the Wabash Award. Mr. Wyman thanked Mr. Miller for his challenges, which caused Mr. Wyman to learn, listen and grow. Mr. Wyman remembered Mr. Miller working together with him at the state house on the property tax crisis.
9. Mr. Moore thanked Mr. Miller for his service, guidance on county government, and friendship.
10. Mr. Miller thanked everyone. Mr. Miller stated that he is conservative, but he also listens to others. Humor helps to alleviate tension at times. In Mr. Miller's opinion Howard County is at the top. Many departments have been contacted by other counties, cities, or countries about how they did something. Mr. Miller recalled working together on tax issues and law suits. This was the first time a small county won against large corporations. The lawsuit cost approximately one million dollars of tax payer money. Sixty millions dollars in taxes were collected in the end from the lawsuit.

*There being no further business to come before the Council at this time,
the meeting was adjourned at 1:35 p.m. on a motion made by
Mr. Papacek, which was seconded by Mr. Roberts, and the motion carried.*

HOWARD COUNTY COUNCIL:

RICHARD H. MILLER PRESIDENT

JAMES T. PAPACEK, VICE PRESIDENT

LESLIE W. ELLISON, MEMBER

STANLEY E. ORTMAN, MEMBER

JEFFREY A. STOUT, MEMBER

JOHN J. ROBERTS, MEMBER

DWIGHT V. SINGER, MEMBER

ATTEST:

MARTHA J. LAKE, AUDITOR
Howard County Council Meeting December 7, 2018