

HOWARD COUNTY COUNCIL REGULAR MEETING JANUARY 23, 2018

The Howard County Council met in Regular Session on Tuesday, January 23, 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 Jim Papacek, and members Les Ellison, John Roberts, Jeff Stout, and Dwight Singer. Also in attendance were County Attorney Alan Wilson and Auditor Martha Lake. Councilman Stan Ortman was absent from meeting.

The meeting was called to order by Sheriff Steve Rogers and conducted by President Richard Miller.

IN THE MATTER OF APPROVAL OF MINUTES:

The minutes of the December 8, 2017, regular meeting, having been previously submitted and reviewed, were approved as submitted on a motion made by Vice-President Jim Papacek. Councilman Dwight Singer seconded the motion, and the motion carried.

Councilman Jeff Stout led the Pledge of Allegiance, and Councilman John Roberts offered a word of prayer.

IN THE MATTER OF ORGANIZATION OF THE COUNCIL FOR 2018:

President Richard Miller opened the floor for organization of the 2018 Howard County Council. Mr. Papacek made a motion to nominate Richard Miller for President. Mr. Singer seconded the motion. Mr. Papacek made a motion to close nominations for president. Councilman Jeff Stout seconded the motion. Mr. Miller called for a vote on each motion, and each motion carried.

Mr. Dwight Singer made a motion to nominate James Papacek for Vice-President, and Councilman Les Ellison seconded the motion. Mr. Stout made a motion to close the nominations, and Mr. Singer seconded the motion. Mr. Miller called for a vote on each motion, and each motion carried.

Mr. Papacek wished Mr. Miller the best of health for the whole year.

IN THE MATTER OF ORDINANCE NO. 2018-HCCO-03 – AN AMENDMENT TO THE RECORDER’S PERPETUATION FUND USAGE:

County Recorder Brook Cleaver asked the Council to approve additional money for the Recorder’s Perpetuation Fund to increase it from \$130,000.00 to \$185,000.00. This money would be used to help pay for additional training approved by the attrition community due to changes in the recorder’s staffing. Mr. Papacek made a motion to approve the additional funding as submitted in Ordinance 2018-HCCO-03. Mr. Ellison seconded the motion, and the motion carried.

IN THE MATTER OF ORDINANCE NO. 2018-HCCO-04 – ADDITIONAL APPROPRIATIONS:

Chief Public Defender Steven Raquet requested permission to use funds from the Supplemental Public Defender Services Fund. This is money that can be used by Public Defenders to supplement public defense services. Mr. Papacek made a motion to approve Ordinance No. 2018-HCCO-04 as presented. Mr. Singer seconded the motion, and the motion carried.

IN THE MATTER OF ORDINANCE NO. 2018-HCCO-01 – ADDITIONAL APPROPRIATIONS:

Auditor Martha Lake read through Ordinance No. 2018-HCCO-01 one time, and the ordinance was acted upon as follows.

Additional Appropriations:		Amount Requested:	Amount Approved:
<u>1000</u>	<u>HOWARD COUNTY GENERAL FUND:</u>		
<u>0005</u>	<u>Howard County Sheriff’s Department:</u>		
11408	Court Security Officer	\$ 36,149.00	\$ 36,149.00
	Total Sheriff’s Department:	\$ 36,149.00	\$ 36,149.00
<u>0201</u>	<u>Howard County Superior Court I:</u>		
11414	Assistant Court Reporters (3)	\$ 9,991.00	\$ No Action
11318	Court Reporter (1)	\$ 1,020.00	\$ No Action
	Total Superior Court I:	\$ 11,011.00	\$ No Action
<u>0203</u>	<u>Howard County Superior Court III:</u>		

11318	Court Reporter	\$ 3,250.00	\$ 3,250.00
11421	Clerk Civil	\$ 3,500.00	\$ 3,500.00
11806	Clerk/Criminal	\$ 3,500.00	\$ 3,500.00
	Total Superior Court III:	\$ 10,250.00	\$ 10,250.00
	Total Add Approp. LIT-Special Purpose Fund:	\$ 57,410.00	\$ 46,399.00
<u>1114</u>	<u>HOWARD COUNTY LIT – SPECIAL PURPOSE FUND:</u>		
<u>0380</u>	<u>Jail/Sheriff:</u>		
12108	Longevity	\$ 43,000.00	\$ 43,000.00
12191	Field Training Officer	\$ 6,000.00	\$ 6,000.00
	Total LIT Speical Purpose Jail:	\$ 49,000.00	\$ 49,000.00
	Total Additional Appropriations General Fund:	\$ 49,000.00	\$ 49,000.00
	TOTAL ADD. APPROP. ALL FUNDS:	\$ 106,410.00	\$ 95,399.00
	Appropriation Reductions:		
<u>1000</u>	<u>HOWARD COUNTY GENERAL FUND:</u>		
<u>0007</u>	<u>Howard County Coroner’s Office:</u>		
11408	Court Security Officer	\$ (30,000.00)	\$ (30,000.00)
	Total Sheriff’s Department:	\$ (30,000.00)	\$ (30,000.00)
<u>0203</u>	<u>Howard County Superior Court III:</u>		
11412	Uniform Court Security Officer	\$ (31,572.00)	\$ (31,572.00)
	Total Superior Court III:	\$ (31,572.00)	\$ (31,572.00)
	TOTAL REDUCTIONS ALL FUND:	\$ (61,572.00)	\$ (61,572.00)

1. Superior Court III Judge Doug Tate told the Council his court security officer had resigned from employment in order to accept a better offer. Judge Tate had discussed courthouse security with Sheriff Steve Rogers. Judge Tate asked the Sheriff’s Department to take care of security for Superior Court III. The specific terms for the change in security officer are spelled out in the Howard County Sheriff’s Department and Superior Court 3 Security Officer Agreement. Since Judge Tate would no longer be paying for a security officer, he requested that the funds be put back into the General Fund. Judge Tate also recognized the current efforts to have a unified security policy at the courthouse. He stated that Superior Court III will comply with a new security policy, when it is reached and asked the Council to take action on the current salary changes only. Mr. Papacek agreed with the idea of the security in the courthouse to be placed in the budget of the Sheriff’s Department. Mr. Papacek also acknowledged Judge Tate’s initiative on unified security at the courthouse. Mr. Roberts congratulated Judge Tate on his compliance with Howard County’s attrition policy and his leadership in the attrition process. Mr. Papacek made a motion to approve the reduction in 1000.11412.000.0203 by (\$31,572.00). Mr. Singer seconded the motion, and the motion carried.
2. Judge Tate also asked for the additional appropriations for Superior Court III. Mr. Papacek summed up the additional appropriations as money paid out in compliance with the savings from the attrition policy. Mr. Papacek made a motion to approve the addition of \$3,250.00 to line item 11318, \$3,500.00 to line item 11421, and \$3,500.00 to line item 11806 for Howard County Superior Court III. Mr. Stout seconded the motion, and the motion carried. Judge Tate stated that there are four employees in Superior Court III. Judge Tate will get the appropriate line items to the Howard County Council.
3. Judge Tate also spoke about merging Community Corrections and the Probation Department. The Community Corrections Advisory Board voted to merge Community Corrections with the Probation Department. The Community Corrections Advisory Board controls Community Corrections. The Probation Department is under the authority of the judges. The judges also agreed to this merger in order to: streamline services, maximize grants, and eliminate duplication of services. Judge Tate stated that decisions will be made by a joint board made up of five judges and the Community Corrections Advisory Board. This group will meet on a quarterly basis. Decisions will be based on the majority decision of the judges, and the majority decision of the Community Corrections Advisory Board. Mr. Papacek made a motion to approve the Howard County Supervision Agreement as presented. Mr. Ellison seconded the motion, and the motion carried.

4. Sheriff Rogers explained that the Court Security Officer for Superior Court III will become a Howard County Sheriff Department employee. The salary will be in accord with the Sheriff's Department pay. This agreement allows continuity of training, use of employees in other areas of the courthouse, and greater efficiency. This agreement also places this officer under the sheriff's jurisdiction. The officer is governed by the rules and regulations of the Sheriff's Department. While the officer is in the courtroom, the officer will do as the judges directs. Mr. Papacek made a motion to approve the additional appropriation for the Court Security Officer line item 11408 in the amount of \$36,149.00. Mr. Roberts seconded the motion, and the motion carried.

5. Superior Court I Judge William Menges opposes the attrition policy due to unintended consequences. The case load of four of the courts from 2012 to 2017 has decreased sixteen percent. The largest reduction occurred in Superior Court III. Judge Doug Tate has done an admirable job in reducing personnel to reflect the reduction in caseload. Judge Menges had to continue 16 court cases after completing 21 court cases in order to attend this council meeting. Judge Menges's personnel will have to work until 5:00 p.m. or 5:30 p.m. today. This happens two to three days per week on a regular basis. The caseload for all five courts has decreased 12 percent in filings for this timeframe. Superior Court I has increased 32 percent during this same time period. Judge Menges would need an approximate 1.28 additional employees to handle the increase in work load to stay at the same work rate as 2012. These numbers do not include the petitions to revoke probation. The petitions to revoke probation are up substantially. This has increased the work of Superior Court I clerical staff. Since the other courts have reduced filing, those courts have been able to take advantage of the attrition policy and increase salaries for those court employees. This has resulted in Superior Court I employees having to work harder and getting paid less than other court reporters. This is the unintended consequences of the attrition process. Judge Menges asked to raise his assistant court reporter up to the same level as other court reporters in the county. Judge Menges also asked to increase the current court reporter salary by \$1,020.00 in Superior Court I. This would raise Superior Court I court reporters to the same salary as Circuit Court, Superior Court II, Superior Court III, and Superior Court IV court reporters. Mr. Papacek explained that the attrition process is to reward departments that follow the attrition process. Mr. Papacek acknowledged that the opioid crisis and other drug problems probably made it impossible to reduce employees in Superior Court I. Mr. Roberts restated that the caseload of Superior Court I has increase 32 percent from 2012 through 2017. Judge Menges further clarified that from 2012 to 2016, the other courts were down almost 20 percent. In 2017 Superior Court II was up three percent, Superior Court III was down 13 percent, Superior IV Court was up three percent, and Circuit Court was up 13 percent. Judge Menges said it would follow that Superior Court III would be able to reduce personnel. Mr. Stout asked if this is a dollar problem. Judge Menges stated this is a morale problem. Judge Menges pointed out that his employees have to work until 7:00 p.m. once a week and are paid \$3,000.00 less than someone in a different court that can leave by 4:00 p.m. Howard County Commissioner Paul Wyman pointed out that the individuals involved are compensated with overtime and compensatory time for their efforts. Mr. Wyman also asked that the Council not take action at this time. Mr. Wyman asked that the courts look at how cases are distributed. Judge Menges stated that the judges are required to review caseloads, and the judges determine how caseloads are distributed. Judge Menges again reiterated that it is the judge's responsibility on how to allocate cases. Mr. Singer requested that the Council study this further. Mr. Singer made a motion to table the requests for Superior Court I. Mr. Ellison seconded the motion, and the motion was tabled.

6. Sheriff Rogers said the following accounts were left off of the 2018 Budget meetings: LIT Special Purpose Fund account line 12108 Longevity (60 officers for E911 and corrections) and account line 12191 Field Training Officers (25 officers from E911 and Corrections). He asked that these be included in the sheriff's budget. Mr. Papacek reiterated that it was the Council's intent to include them at the time. Mr. Papacek made a motion to approve the requests for additional appropriations from Howard County LIT Special Purpose Fund account line 12108 Longevity for \$43,000.00 and account line 12191 Field Training Officer for \$6,000.00. Mr. Roberts seconded the motion, and the motion carried.

7. Ms. Lake explained that the reduction is a housekeeping correction, and that the line item should have been left off of the 2018 Budget. Mr. Papacek made a motion to approve the reduction of \$30,000.00 from account 11413 of the general fund for the Coroner's office. Mr. Singer seconded the motion, and the motion carried.

IN THE MATTER OF APPOINTMENTS TO THE PROPERTY TAX ASSESSMENT BOARD OF APPEALS (PTABOA):

County Assessor Mindy Heady asked the Howard County Council to accept all of the 2018 Property Tax Assessment Board of Appeals (PTABOA) appointments:

Name	Board	Action
Mark Herrnstein	Property Tax Assessment Board of Appeals	Reappointment – Approved
Linda Kuntz	Property Tax Assessment Board of Appeals	Reappointment – Approved
Susan Woolley	Property Tax Assessment Board of Appeals	Reappointment – Approved

Mr. Papacek made a motion to accept the nominations to the PTABOA board as submitted. Mr. Stout seconded the motion, and the motion carried.

IN THE MATTER OF ORDINANCE NO. 2018-HCCR-01 – TRANSFERS

Auditor Martha Lake read Ordinance No. 2018-HCCR-01-Transfers through one time, and it was acted upon as follows:

Transfer From:	To:	Amount Requested:	Amount Approved:
<u>1000 HOWARD COUNTY GENERAL FUND:</u>			
<u>0013 Center Township Assessor:</u>			
11700 Part-time	11305 First Deputy	\$ 480.00	\$ 480.00
<u>1138 Howard County CUMLATIVE CAPITAL DEVELOPMENT FUND:</u>			
<u>9601 Information Systems:</u>			
11601 GIS/Prop Rec Tech/Coord.	30000 GIS Staff Augmentation Contract	\$ 33,500.00	\$ 33,500.00

Ms. Lake stated that the Center Township Assessor was short \$480.00 in account line 11305 due to encumbrance carry over from 2016 into 2017. Ms. Lake also stated that account 11601 was really a contract and not an individual. This transfer reassigns the money to the proper account line. Mr. Papacek made a motion to approve 2018-HCCR-01 – Transfers as read. Mr. Ellison seconded the motion, and the motion carried.

IN THE MATTER OF ORDINANCE NO. 2018-HCCO-02 – AMENDING SALARY ORDINANCE FOR 2018:

Auditor Martha Lake read through Ordinance No. 2018-HCCO-02 – Amending Salary Ordinance for 2018 one time, and the ordinance was acted upon as follows.

		Amount Requested:	Amount Approved:
<u>1000 HOWARD COUNTY GENERAL FUND:</u>			
<u>0005 Howard County Sheriff’s Department:</u>			
11408	Court Security Officer	\$ 36,149.00	\$ 36,149.00
<u>0007 Howard County Coroner’s Office:</u>			
11413	Part-time Clerical	\$ (30,000.00)	\$ (30,000.00)
11700	Part-time (was \$100/call; want \$25.00/hour)	\$ 25.00/HR	\$ 25.00/HR
<u>0201 Howard County Superior Court I:</u>			
11414	Assistant Court Reporters (3)	\$ 9,991.00	\$ No Action
11318	Court Reporter (1)	\$ 1,020.00	\$ No Action
<u>0013 Center Township Assessor’s Office:</u>			
11700	Part-time	\$ (480.00)	\$ (480.00)
11305	First Deputy	\$ 480.00	\$ 480.00
<u>0203 Howard County Superior Court III:</u>			
11318	Court Reporter	\$ 3,250.00	\$ 3,250.00
11421	Clerk Civil	\$ 3,500.00	\$ 3,500.00
11806	Clerk/Criminal	\$ 3,500.00	\$ 3,500.00
11412	Uniform Court Security Officer	\$ (31,572.00)	\$ (31,572.00)
<u>1114 HOWARD COUNTY LIT – SPECIAL PURPOSE FUND:</u>			
<u>0380 Jail/Sheriff:</u>			
12108	Longevity	\$ 43,000.00	\$ 43,000.00
12191	Field Training Officer	\$ 6,000.00	\$ 6,000.00

Mr. Singer made a motion to approve 2018-HCCO-02-Amending Salary Ordinance for 2018 with location 0201 Howard County Superior Court I tabled. Mr. Papacek seconded the motion, and the motion carried.

IN THE MATTER 2018 BUDGET CORRECTION:

Ms. Lake explained that during the 2018 budget hearings there was a motion to award a \$400.00 bonus to full time employees and \$200.00 bonus to full time part-time employees. The \$200.00 full time part-time employee bonus was inadvertently left out of the record. Mr. Papacek made a motion to approve the correction \$200.00 full time part-time employee bonus. Mr. Stout seconded the motion, and the motion carried.

IN THE MATTER OF ORDINANCE NO. 2017-HCCR-29 – HONORING JAY PRICE’S SERVICE TO HOWARD COUNTY GOVERNMENT:

Ms. Lake asked for ratification of Resolution No. 2017-HCCR-29 – Honoring Jay Price’s service to Howard County Government. Mr. Miller read through resolution number 2017-HCCR-29 one time. Mr. Singer made a motion to ratify resolution 2017-HCCR-29 as read. Mr. Ellison seconded the motion, and the motion carried. Mr. Miller reiterated that Mr. Jay Price did exactly what that resolution said. Mr. Price spent endless hours helping families. Mr. Price is one great fellow for Howard County.

IN THE MATTER OF OLD BUSINESS:

1. Sheriff Rogers followed up on Mr. Roberts’s question about meal costs at the jail. Sheriff Food Service Supervisor Tom Cleaver and Sheriff Chief Matron Loretta Moon helped prepare the report on the cost of meals. Sheriff Rogers stated that the average cost of meals in 2016 was \$1.08. In 2017 the average cost of a meal was \$1.02. The jail served 532,440 meals in 2016. The savings amounted to \$31,946.40. Mr. Cleaver takes a great deal of effort to keep this pricing. Sheriff Rogers also stated that if the jail size increases, the kitchen size would also need to increase.
2. Mr. Roberts initiated a discussion with Commissioner President Paul Wyman regarding the **current policy change to lease county vehicles instead of purchasing them.** Different Councilmen shared their opinions. Views varied. No council motions were made during the discussion. Mr. Roberts thanked Mr. Wyman for his information.

*There being no further business to come before the Council at this time,
the meeting was adjourned at 5:52 p.m. on a motion made by
Mr. Stout, which was seconded by Mr. Papacek, 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

ATTEST:

MARTHA J. LAKE, AUDITOR
Howard County Council Meeting January 23, 2018