



BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEN

City-County Building Room 200 · 1 East Main Street · Fort Wayne, IN 46802

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NELSON PETERS LINDA K. BLOOM THERESE BROWN

MINUTES

**Commissioners' Legislative Session
10:00 a.m. Friday, January 7, 2011
Commissioners' Courtroom - City-County Building**

Commissioners Present: Nelson Peters, Linda Bloom and Therese Brown

Others Present:	Chris Cloud	Commissioners Office
	Mike Green	Commissioners Office
	Rhonda Rice	Commissioners Office
	Jolie Walker	Commissioners Office
	Beth Lock	Commissioners Office
	Bill Fishing	County Attorney
	Tera Klutz	Auditors Office
	Michelle Wood	DPS
	Patrick Rew	DPS
	Bill Hartman	Highway Department
	Mike Talbot	Extension Director
	Paul Morrison	Kids' Law
	Ben Lanka	Journal Gazette

Commissioner Bloom called the meeting to order at 10:05 AM. Commissioner Bloom led the meeting with the Pledge of Allegiance and a moment of silence.

- 1. Approval of the minutes of December 17th, 2010.** Commissioner Peters made a motion to approve the minutes of December 17th, 2010. Commissioner Brown seconded the motion. Motion carried 3-0.
- 2. Reorganization of the Board of Commissioners.** Commissioner Bloom made a motion to approve Nelson Peters as President, Linda Bloom as Vice President and Therese Brown as Secretary. Commissioner Brown seconded the motion. Motion carried 3-0.
- 3. Appointments to boards and commissions.** Chris Cloud, Executive Assistant, read the names of the Board of Commissioners appointments to the various boards. Commissioner Bloom made a motion to accept the names read as representatives on our boards. Commissioner Brown seconded the motion. Motion carried 3-0.
- 4. Commissioner representatives to Boards.** Chris Cloud, Executive Assistant, read the names of the appointments of the County Commissioners to the various boards. Commissioner Bloom made a motion to accept the Commissioners names read as representatives to the boards. Commissioner Brown seconded the motion. Motion carried 3-0.
- 5. Appointment of Commissioners' Department Heads.** Chris Cloud, Executive Assistant, read the names of the Board of Commissioners Department Head appointments. Commissioner Brown made a motion to accept the names read as Department Heads. Commissioner Bloom seconded the motion. Motion carried 3-0.
- 6. Approval of 2011 E-911 budget.** Jolie Walker, Allen County Commissioner's Office, presented this item and stated that the budget is flat lined from last year. There are no changes. Commissioner Bloom made a motion to approve the 2011 E-911 budget. Commissioner Brown seconded the motion. Motion carried 3-0.

- 7. Interagency Agreement between the Board of Commissioners and Wayne Township for cost sharing of administrative assistant position within the Office of Veteran Services.** Commissioner Peters explained that 3 years ago now we went to the County Council with the idea that we needed more help for the Veteran Affairs office and about that time Wayne Township stepped up to the plate and suggested there might be willingness on their part to share Veterans Services. We said OK what can you bring to the table and they said they would pay us for half of that position. This is simply their “re-upping” for 2011 for that half of the position which will allow George Jarboe to continue to do the job he has been doing. We have renewed these on a year to year basis. Commissioner Bloom made a motion to approve the Interagency Agreement between the Board of Commissioners and Wayne Township for cost sharing of administrative assistant position within the Office of Veteran Services. Commissioner Brown seconded the motion. Motion carried 3-0.
- 8. Agreement between the Board of Commissioners and Nyhart for Annual Actuarial Services for GASB 45 on behalf of the Allen County Auditor.** Tera Klutz, Auditor, presented this item and stated that this is a 1 year agreement with Nyhart to perform actuarial services and to perform an evaluation of our other post employment benefits. Since we offer health insurance for retirees and also have an early retirement incentive program we are required by law to have it actuarially valued for our financial statements. They have done this for us for the past 3 years. Commissioner Brown made a motion to accept the Agreement between the Board of Commissioners and Nyhart for Annual Actuarial Services for GASB 45 on behalf of the Allen County Auditor. Commissioner Bloom seconded the motion. Motion carried 3-0.
- 9. Agreement between the Board of Commissioners and Maximus, Inc for professional consulting services on behalf of the Allen County Auditor.** Tera Klutz, Auditor, presented this item and stated this for them to come in and look at all the costs we have associated with administering the federal and state programs. This contract is lower than it has been in 10 years. This would be for a 3 year multi-year option. Commissioner Bloom made a motion to accept the Agreement between the Board of Commissioners and Maximus, Inc for professional consulting services on behalf of the Allen County Auditor. Commissioner Brown seconded the motion. Motion carried 3-0.
- 10. General Liability, Property, and Vehicular insurance renewal for 2011.** Commissioner Peters stated that the cost is \$7,000 more this coming year than last year and that is not bad. He stated we have tried to squeeze as much blood out of that turnip as we can. Commissioner Brown made a motion to approve the General Liability, Property, and Vehicular insurance renewal for 2011. Commissioner Bloom seconded the motion. Motion carried 3-0.
- 11. Vacation Petition 398/10 to vacate .192 acres of Greenmede Drive, an unimproved platted right-of-way as platted in Maples Roadside Addition along the north side of the 2000 block of Maples Road.** Michelle Wood and Patrick Rew presented this item. Michelle stated that this was at a public hearing in front of the Plan Commission and the Commissioners on December 9th. Commissioner’s Bill Brown and Linda Bloom were in attendance. There was one remonstrator at the hearing who owns the property not adjacent to the right of way but to the north of the platted lot. At the time that property owner was seeking to purchase the ground on the west side of this right of way and to our knowledge it has not happened. If it did, as stated by the Highway Dept., Greenmede would not be used as an access into that larger parcel. The access would likely be further to the west because of separation requirements. Michelle stated that all agencies have signed off on this, staff is supportive and the Plan Commission recommended a do pass. Commissioner Bloom made a motion to approve Vacation Petition 398/10 to vacate .192 acres of Greenmede Drive, an unimproved platted right-of-way as platted in Maples Roadside Addition along the north side of the 2000 block of Maples Road. Commissioner Brown seconded the motion. Motion carried 3-0.
- 12. Rezoning Petition 1632/10 to rezone 10.9 acres along the west side of the 11400 to 11500 blocks of Bluffton Road from I-2/General Industrial to I-3(P)/Planned Heavy Industrial to allow a variety of industrial uses proposed on the site.** Michelle Wood and Patrick Rew presented this item. Patrick stated that this is an application from MVB Properties, LLC to rezone property from I-2 to I-3/ The property is located on the west side of Bluffton Road just east of the Ft. Wayne International Airport.

There is one single residential subdivision location on the east side of Bluffton Road and a couple of metes and bounds houses just south. The remainder of the area around it is undeveloped. There is a written commitment that was supplied as part of the petition that commits to reducing the number of signs from 3 to 1 on Bluffton Road. In addition they have agreed to place evergreen plantings along the chain link fence that runs in front of the existing trucking business and add screening and buffering. The reason for the rezoning petition is to expand the current operations on the site. They are currently doing low level recycling of aluminum cans and things of that nature. They are also doing some sheet metal cutting for recycling. What they would like to do is bring cars on the property and remove parts that can be reused and recycled and then they will take the cars offsite and shred them. They would also like to bring shingles to the site and shred them for reuse in other applications a few times a year. Both outside operations would be solid screen with 7' fencing. The Plan Commission did forward a do pass recommendation for this petition with the written commitment. Commissioner Brown asked how binding is the written commitment? Patrick responded that they have committed to having these items completed prior to the Certificate of Compliance (COC). The Plan Commission is the enforcement body and they will have to comply before the COC is issued. Commissioner Bloom made a motion to approve Rezoning Petition 1632/10 to rezone 10.9 acres along the west side of the 11400 to 11500 blocks of Bluffton Road from I-2/General Industrial to I-3(P)/Planned Heavy Industrial to allow a variety of industrial uses proposed on the site. Commissioner Brown seconded the motion. Motion carried 3-0.

- 13. LPA Project Coordination Contract between the Board of Commissioners and Indiana Department of Transportation for the construction on Flutter Rd from St Joe Rd to Schwartz Rd, Project # 05-276.** Bill Hartman, Highway Director, stated that this is an agreement stating that we will abide by their rules and regulations in executing the construction of Flutter Road. It helps us secure approximately \$7 million worth of work. Commissioner Bloom made a motion to approve LPA Project Coordination Contract between the Board of Commissioners and Indiana Department of Transportation for the construction on Flutter Rd from St Joe Rd to Schwartz Rd, Project # 05-276. Commissioner Brown seconded the motion. Motion carried 3-0.
- 14. Warranty Deed for Parcel 6 on Diebold Rd – Phase I.** Bill Hartman, Highway Director, stated that this is the 10 parcel and we have 6 to go. Commissioner Bloom made a motion to approve Warranty Deed for Parcel 6 on Diebold Rd – Phase I. Commissioner Brown seconded the motion. Motion carried 3-0.
- 15. Warranty Deed for Project No. B03-10 – Dedication of Right of Way for Yellow River Road.** Bill Hartman, Highway Director, stated that this increases existing right of way from 25 feet to 45 feet for widening the road for a proposed temple. Commissioner Bloom made a motion to approve the Warranty Deed for Project No. B03-10 – Dedication of Right of Way for Yellow River Road. Commissioner Brown seconded the motion. Motion carried 3-0.
- 16. Supplemental Agreement for 2011 Personal and Benefits Policy for Highway Maintenance Employees.** Bill Hartman, Highway Director, stated he met in December with the maintenance employee's committee. A couple of minor revisions were made from last year that amounted to not exactly defining a 2nd and 3rd shift only asking that they be established as required because of our personnel reduction we occasionally have a 2nd shift doing snow removal but the time varies depending on the need for that. He stated they haven't had a defined 2nd or 3rd shift for about 3 years so that portion of the agreement was revised to make it more flexible and work with what they have been doing. There is no difference in pay. Commissioner Bloom made a motion to accept the Supplemental Agreement for 2011 Personal and Benefits Policy for Highway Maintenance Employees. Commissioner Brown seconded the motion. Motion carried 3-0.
- 17. Appointment to an Allen County Common Wage Committee Meeting for Highway & Bridge Projects 2011.** Chris Cloud, Executive Assistant, stated that the names before the Commissioners today are Cathy Serrano, Danny Hudson and Chris McCally. Commissioner Bloom made a motion to accept the appointments as read. Commissioner Brown seconded the motion. Motion carried 3-0.
- 18. Other Business:**
 - A. Amendment #3 to the Purdue Extension Contractual Services Agreement between the Board of Commissioners and Purdue University.** Mike Talbott, Extension Director, stated

that this is the annual recommitment of the contract between Purdue University and Allen County for the 5 educators who work in Allen County under contract from Purdue University and Allen County to provide educational services here. Some highlights from this past year is that they have had over 7,000 contacts either by telephone, walk-in or email for plant, insect disease identification and treatment. It has been handled by horticultural educator or master gardeners. They have had close to 100 come for a food preservation training called Backed to the Basics. They have seen resurgence in interest by homeowners and consumers about wanting to grow their own produce or at least learn or relearn how to can and preserve their own food partially due to concerns about what they are eating. They continue to work with the Indiana Restaurant Association and provide the food handling certification that is required. They also do pesticide handlers certification. A little over 900 4H youth were involved in the program this year. The 2011 contract dollars, \$137,690, have already been approved by County Council. Commissioner Bloom made a motion to accept Amendment #3 to the Purdue Extension Contractual Services Agreement between the Board of Commissioners and Purdue University. Commissioner Brown seconded the motion. Motion carried 3-0.

B. Discussion of Community Grants Program. Beth Lock, Commissioner's Office, reviewed the merits of this program and provided the background behind it. The purpose of this is to provide some guidelines, parameters and an application for those that come to us asking for dollars for certain programs or their group, etc. In discussions, as this has evolved, a couple of things that were talked about was making sure there was some type of cap or ceiling on the amount of dollars that people could ask for. We are looking at ceiling that at 2% of the CEDIT budget. Also discussed was looking at 501c3 entities or expanding that out to other non-profit groups and require them to submit a 990. For groups that are not affiliated with the 501 status we are looking at adding some extra parameters that they could do. She stated that her understanding of these is when it comes down to approving these Commissioner grants to these community organizations, it is going to come down to a contract between the organizations at that point. We are going to have to look at if they are not a 501 entity, who exactly is getting the money and is there a liability issue if they don't expend it in a proper time or use it for purposes other than what the fund is meant to be used for. All of this is still in draft form of course. Initially we were just going to have this on an ongoing rolling basis. However, to make things more advantageous for the community, we don't want to award a lot of dollars in the first half of the year and then find a really good project that we would like to fund in the latter half of the year and not have the funds available. Therefore, we are going to look at maybe a mid-year deadline as to when the submissions have to be in so that we can review them and decide which projects and programs we think are best suited for this program. Beth addressed grant objectives and the definition of Economic Development taken directly from the Indiana Economic Development Corporation. This stated the primary objective is to enhance the wellbeing of community through efforts entailing job creation, job retention, tax base enhancements and the quality of life. Commissioner Brown stated that ultimately the applying entity or agency would have the burden of proof on them to prove how their organization or objective actually correlates to Economic Development. Beth stated that they do have to give some type of benchmark measures for what they are trying to do. In the very end it is at the Commissioners discretion whether or not to award those dollars. Commissioner Peters commented that it is interesting that there has been so much scrutiny from a couple of things we did last year because in total they amounted to less than \$100,000. There was a time when each City Council district was given \$400,000+ out of the city's CEDIT funds to take care of community development related things and those things included planting trees and doing projects like that. Not that planting trees isn't necessary in some cases but when you look at the scrutiny we got vs. planting trees it was interesting. Commissioner Brown stated that it comes down to what one's perception of what those dollars should be utilized for and should we be utilizing them in that vein based on how an individual is taxed. Regardless of the dollar amount that is probably the philosophical standpoint. Commissioner Peters stated that 2% of our CEDIT budget at \$6,000,000 now would be about \$120,000 and those numbers weren't just pulled out of the air. The ED folks did some studies of other communities to find out what was been spent of these types of things

and they came up with a 1%-2% number for community development type projects. Once the \$120,000 is gone there is no more. Commissioner Peters stated that he would love to see this come back next week if that is not pushing it. Beth Lock stated that she thinks that would be fine and she has a draft ready for the Commissioners to review. The Commissioners thanked Beth for her work on this project.

19. Approval to waive the 2nd Reading on any matter approved today and for which it may be deemed necessary for the Legislative Session of January 7, 2011. Commissioner Bloom made a motion to approve waiving the 2nd Reading on any matter approved today and for which it may be deemed necessary for the Legislative Session of January 7, 2011. Commissioner Brown seconded the motion. Motion carried 3-0.

20. Comments from the Public.

21. Motion to Adjourn. There being no further business, the meeting was adjourned at 10:51 a.m.

Allen County does not discriminate because of disability in the admission to, or treatment or employment in, its programs or activities. The Human Resources Director has been designated to coordinate compliance with nondiscrimination requirements contained in Section 35.107 of the Department of Justice regulations. Information concerning the provisions of the Americans with Disabilities Act, and the rights provided therein, and Allen County's ADA policy is available from the ADA Coordinator. Suggestions on how the County can better meet the needs of persons with disabilities may be submitted to the ADA coordinator at: Human Resources Department, 1 East Main Street, Room 300, Fort Wayne, IN 46802, or by phone at (260) 449-7217.