



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 28, 2011
Commissioners' Courtroom - City-County Building**

Commissioners Present: Nelson Peters and Linda Bloom
Commissioners Absent: Therese Brown

Others Present:	Chris Cloud	Commissioners Office
	Mike Green	Commissioners Office
	Bill Fishing	County Attorney
	Jeff Stevens	Community Corrections
	Bill Hartman	Highway Director
	Phil Gutman	Financial Advisor
	Ben Lanka	Journal Gazette

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

- 1. Approval of the minutes of January 21st, 2011.** Commissioner Bloom made a motion to approve the minutes. Commissioner Peters seconded the motion. Motion carried 2-0.
- 2. Annual Meeting of the Board of Finance of Allen County.** Sue Orth, Treasurer, and Bill Royce, Chief Deputy, presided over this meeting. Commissioner Nelson Peters was appointed the new President of the Board of Finance.
- 3. Purchase Agreement and Extended Warranty And Support Services Agreement between the Board of Commissioners and BI Incorporated for the purchase of electronic monitoring equipment on behalf of Allen County Community Corrections.** Jeff Stevens, Financial Coordinator for Allen County Community Corrections, presented a purchase agreement for electronic monitoring equipment and the extended warranty and support services agreement with their vendor, BI Incorporated. This is for new electronic monitoring equipment for the ACCC home detention program. This is a whole new system but is still with BI Incorporated. This agreement includes supplies and maintenance in one bundle and saves the taxpayers about \$10,500 over this three year period. Commissioner Bloom made a motion to approve the Purchase Agreement and Extended Warranty and Support Services Agreement between the Board of Commissioners and BI Incorporated for the purchase of electronic monitoring equipment on behalf of Allen County Community Corrections. Commissioner Peters seconded the motion. Motion carried 2-0.
- 4. Supplemental Agreement # 1 to update the INDOT-LPA Contract for PE cost adjustments between the Board of Commissioners and INDOT for Bethel/Till/Huguenard Rd Intersection improvement, project # 1200207.** Bill Hartman, Highway Director, this is going to add \$100,000 to our contract with them. Originally through UTAB we just put \$100,000 in there for the design as a placemaker to get the job initiated. When we got the contract with E & Z for \$243,000, this \$200,000+ which would be the 80% with our \$50,000 match gives us \$250,000 available to design the project. Commissioner Bloom made a motion to approve the 4. Supplemental Agreement # 1 to update the INDOT-LPA Contract for PE cost adjustments between the Board of Commissioners and INDOT for Bethel/Till/Huguenard Rd Intersection improvement, project # 1200207. Commissioner Peters seconded the motion. Motion carried 2-0.

5. **Warranty Deed for Gary W. Probst for a dedication of right-of-way on West Hamilton Rd – part of a development agreement, Project # B04-06.** Bill Hartman, Highway Director, stated that this part of a northern addition to Hamilton Point apartments to give us the additional right-of-way for egress/ingress requirements for this project. Commissioner Bloom made a motion to approve the Warranty Deed for Gary W. Probst for a dedication of right-of-way on West Hamilton Rd – part of a development agreement, Project # B04-06. Commissioner Peters seconded the motion. Motion carried 2-0.

6. **Ratification of agreement between the Board of Commissioners and Kenneth R. Neumeister to advise and coordinate efforts to accomplish and facilitate co-locations for the City and County government departments.** Chris Cloud, Executive Assistant, stated that Mr. Neumeister has been helping us out since April or May of last year at the Commissioners request on the co-location project. He has facilitated interaction with the city on a number of occasions and has attended several meetings assisting the County as we don't have the ability to put someone on this fulltime. The Commissioners have had an agreement in principal with him on this since then, just not inked yet. Commissioner Bloom made a motion to accept the Ratification of agreement between the Board of Commissioners and Kenneth R. Neumeister to advise and coordinate efforts to accomplish and facilitate co-locations for the City and County government departments. Commissioner Peters seconded the motion but added that he knows there has been a couple of County council members sniffing around this particular issue and he thinks it is important to note that we had agreed in principal with Mr. Neumeister to take on this work as Mr. Cloud said from probably as far back as last April or so. Ken has been in the saddle and Commissioner Peters stated he does think that we have truly reaped some benefit from his work. Commissioner Peters stated that for the folks out there that continue to say you need to co-locate, you need to co-locate, never in his wildest dreams did he imagine what that actually entailed. He knows that Chris, Pat Roller and a few others who have been intimately involved, would echo in a loud way what he just said. He thinks that Ken's contribution to the cause has been really good from a coordinating standpoint. We went back and forth with the City on a number of issues in the Renaissance building and Mr. Neumeister was able to make some gains, candidly for the County, that will more than pay for his contract. We have this building that we need to continue to build out. Ken has good relationships with both the City Police Chief as well as the County Sheriff and those relationships will be invaluable in helping us to get to the promise land. Commissioner Peters stated that "to any council members who may seek information after this point I will be more than happy to, if they are not happy, award this contract to them." With that Commissioner Peters seconded the motion. Motion carried 2-0.

7. **Plats for Signature: Bridgewater Section XII
 Valencia Section III**

8. **Other Business:**

Vacation Bank Request for confinement officer Dan Reid from the Sheriff's Dept. Commissioner Bloom made a motion to accept the vacation bank request for Dan Reid. Commissioner Peters seconded the motion. Motion carried 2-0.

Approval of the Preliminary Official Statement, the Continuing Disclosure Agreement and the Bond Purchase Agreement for the refunding bonds for the Allen County Juvenile Center. County Attorney Fishing and Phil Gutman, Financial Advisor, presented 3 documents regarding the sale of the refunding bond next Wednesday. Attorney Fishing stated the first matter is the Official Statement which he recommended they approve and deem final. The next matter is the Continuing Disclosure Agreement which is typical for the bond issues. This is a new form because this year the Feds changed slightly who we report to and what we have to report making it a little narrower and stricter. This agreement is with Wells Fargo acting as Trustee. The final matter before them is the Bond Purchase Agreement. They would like the Commissioners to approve the form. The document itself will be filled in with the sale numbers next week. Phil Gutman stated that this official statement is the basis upon which they granted the AA and they went back and reevaluated other issues and so we are now a qualified AA2 rating which is just a notch below a complete AA. Secondly, the Continuing Disclosure Agreement isn't necessarily a document to sell your bonds but is for your bonds to remain marketable in the marketplace after the bond issue. It becomes a very important issue over the next 6 years so that the people who own the bonds can trade them back and forth. Regarding the Bond Purchase Agreement, it is

typical in the industry that when a bond sale is concluded, the underwriter sells as many bonds as he can then he takes the rest of them into his inventory. Hopefully he doesn't take any into his inventory. It is very important that this bond purchase agreement be executed the day that the sale is contemplated. He stated that this needs to be accepted by the Commissioners and somebody needs the authority to accept the terms and conditions. Commissioner Bloom requested Commissioner Peters to sign this since he is the President in 2011. Commissioner Bloom made a motion to approve the Preliminary Official Statement, the Continuing Disclosure Agreement and the Bond Purchase Agreement for the refunding bonds being done on the Juvenile Center. This is also to recommend them being final on the Official Statement. Commissioner Peters seconded the motion. Motion carried 2-0.

- 9. 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 28, 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 28, 2011. Commissioner Peters seconded the motion. Motion carried 2-0.

10. Comments from the Public.

- 11. 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.