



## 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, March 4, 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
	Bill Fishing	County Attorney
	Phil Gutman	Financial Advisor
	Mike McAlexander	Prosecutor's Office
	Steve Scrogam	IT Director
	Dave Gladieux	Deputy Sheriff
	Mike Reichart	Technical Director
	Ed Steenman	IT Director
	Jeff Neumeyer	WPTA TV
	Kevin Leininger	News Sentinel

Commissioner Peters called the meeting to order at 10:04 AM. Commissioner Peters led the meeting with the Pledge of Allegiance and a moment of silence.

- 1. Approval of the minutes of February 25<sup>th</sup>, 2011.** Commissioner Brown made a motion to approve the minutes. Commissioner Bloom seconded the motion. Motion carried 3-0.
- 2. Service Agreement between the Board of Commissioners and Comcast for Internet Service for the Office of the Prosecuting Attorney.** Mike McAlexander, Chief Deputy Prosecutor, and Steve Scrogam, IT Director, presented this item. This would replace a DOS based internal system that they have had for 25 years or so that is no longer maintained or supported by anyone in the free world. It will be more cost effective to do this through an internet based system. This is for internal work products and items that they need to keep confidential. Commissioner Bloom made a motion to approve the Service Agreement between the Board of Commissioners and Comcast for Internet Service for the Office of the Prosecuting Attorney. Commissioner Brown seconded the motion. Motion carried 3-0.
- 3. Radio and Repair Service Contract between the Board of Commissioners and City of Fort Wayne for maintenance of Sheriff's Department radio and vehicle equipment.** Dave Gladieux, Chief Deputy, and Mike Reichart, Technical Director, presented this item. This is in reference to radio and repair service for squad cars and hand held radios. A year and a half or so ago our service technician retired and they chose not to replace him. Their installer is now retiring and they will be replacing him but that person will only be doing minor repairs not the actual programming of the radios. This contract would cover that. Commissioner Bloom made a motion to accept the Radio and Repair Service Contract between the Board of Commissioners and City of Fort Wayne for maintenance of Sheriff's Department radio and vehicle equipment. Commissioner Brown seconded the motion. Motion carried 3-0.
- 4. Master Purchase Agreement and Scope of Work approval between the Board of Commissioners and G3 Technology Partners for a Voice Over Internet Protocol (VoIP) telephone system.** Ed Steenman, IT Director, stated that this item is for the new phone system. The documents have already been signed by G3 and the City of Fort Wayne. This is the collaborative phone project that we are working on with the City of Fort Wayne. Commissioner Brown made a motion to approve the Master

Purchase Agreement and Scope of Work approval between the Board of Commissioners and G3 Technology Partners for a Voice Over Internet Protocol (VoIP) telephone system. Commissioner Bloom seconded the motion. Motion carried 3-0.

5. **Amendment 1 to agreement between the Board of Commissioners and Government Payment Systems, Inc. (DEFERRED)**
6. **Appointment to an Indiana University-Purdue University Common Wage Committee.** Chris Cloud, Executive Assistant, stated the name before them today is Cathy Serrano. Commissioner Bloom made a motion to approve the Appointment of Cathy Serrano to an Indiana University-Purdue University Common Wage Committee. Commissioner Brown seconded the motion. Motion carried 3-0.
7. **Management Agreement between the Board of Commissioners and Light & Breuning for use of county owned lots during the festival season.** Chris Cloud stated that this agreement with Light & Breuning is for the collection of parking revenue for after hours and weekend use of county owned lots. They in turn staff the lots and provide the County back with half the revenue. This was shopped this year and Light & Breuning is still the best deal for the County. Commissioner Bloom made a motion to accept the Management Agreement between the Board of Commissioners and Light & Breuning for use of county owned lots during the festival season. Commissioner Brown seconded the motion. Motion carried 3-0.
8. **Purchase Agreement and assignment of title for Riverhaven flood buyout properties.** Bill Fishing, County Attorney, stated that the Maumee River Basin Commissioner obtained a number of federal grants to help purchase properties in flood plains. Two of those properties are in Riverhaven. This is about assigning those purchase agreements to ACCDC so that they will take title to them instead of the county. They will be torn down and not used and become vacant ground in Riverhaven. Commissioner Bloom made motion to give two properties in Riverhaven to ACCDC. Commissioner Brown seconded the motion. Motion carried 3-0.
9. **Discussion of Coliseum Bond refunding.** Bill Fishing, County Attorney, and Phil Gutman, Financial Advisor, addressed this item. Mr. Gutman stated that last week when he made the report to the Commissioners on the refinancing of the Juvenile Center he briefly discussed the refunding of the taxable 2001 issue at the Coliseum. He stated to give them a feel for the market place, when discussing the refunding last week a savings of about \$178 -\$180K was talked about over the remaining life of the financing. If it could be done today, there would be something in excess of \$300,000. That is just the volatility in the market place. The resolution he has, which could be adjusted however they see fit, would suggest a savings of at least \$200,000. The Coliseum financing is different from the Juvenile Justice in that the Juvenile Justice was entirely tax exempt financing. Payments coming from the levy of the ad valorem taxes. The Coliseum has never been promoted in that way, although there is a backup of property ad valorem taxes much like the Airport. The Coliseum is a revenue issue predicated on 1) collections from food and beverage taxes 2) sports development 3) whatever operating profit that may be available at the Coliseum and 4) the backup of the property tax. As he alluded to last week, this mandate by the State that they may have overpaid funds that had been returned to local governments was not involved with the Juvenile Justice Center because that is an ad valorem tax which is levied here, paid here, collected here and stays here. Both the food and beverage tax and the sports development tax are State collected and the tax is predicated on some instances sales taxes and in others income taxes. He stated that it is unclear to him and always has been in the Coliseum financing, how the State returns those funds to Allen County. He has requested on a couple of different occasions to get some sort of written documentation as to how they administer but he has not been successful. He thinks if the Commissioners decide to go forward with this financing those issues are going to have to be resolved in order to make a full and complete disclosure to investors as to how the funds will flow. Further complicating, which he has asked Mr. Fishing to take a hard look at, are the amendments to the food and beverage and the sports development tax that remove some of those funds from the Commissioner's control as administering the food and beverage for the benefit of the Coliseum to the Capital Improvement Board (CIB). That CIB was to get its' first flow of funds, as he understands it, this February. He stated he has not followed up on that and that has to get done. There is a lot to be done if they decide to go forward and he is prepared to dedicate his time immediately and resolve those issues as quickly as he can and report to the Commissioners. He

stated that since this is a taxable issue, he sees no downside if the market improves. He stated that when they do these taxable issues, and they don't do very many of them, rarely do they see a taxable issue showing any positive savings. Commissioner Peters stated that he thinks it makes a lot of sense to proceed quickly on this. Mr. Gutman stated that the uncertainty that we see now on the global scale affects all of us and investors who invest in governments are just not real comfortable. Commissioner Brown asked how quickly this could be closed? Mr. Gutman responded that in anticipation that we might get a favorable rating today, yesterday he wrote an extensive memo to Mr. Fishing and Randy Brown at the Coliseum asking them to take a look at the things that he just discussed and the areas that he has concerns about. He doesn't want to get everyone involved and be ready to go to market and then have somebody say 'gee, why didn't you tell us about this before?' He hopes these issues can be resolved before the middle of next week. He will begin to do his end of the work preparing the preliminary official statement and seeking request for a rating. He stated he thinks he can do that in less than 5 days. He thinks that if everything goes good, we ought to be in the market place the first of April. There are a lot of ifs in there but he thinks everybody recognizes that the market is shaky and that they will do the best they can. Commissioner Brown made a motion to move forward with the Coliseum Bond. Commissioner Bloom seconded the motion. Motion carried 3-0.

**10. Other Business:**

**11. Approval to waive the 2<sup>nd</sup> Reading on any matter approved today and for which it may be deemed necessary for the Legislative Session of March 4, 2011.** Commissioner Bloom made a motion to approve waiving the 2<sup>nd</sup> Reading on any matter approved today and for which it may be deemed necessary for the Legislative Session of March 4, 2011. Commissioner Brown seconded the motion. Motion carried 3-0.

**12. Comments from the Public.** None

**13. Motion to Adjourn.** There being no further business, the meeting was adjourned at 10:24 a.m.

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