



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 11, 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
	Maureen Voors	DPS
	Michelle Wood	DPS
	Robert Bolenbaugh	Purchasing
	Bruce Breeden	Cripe
	Todd Guthrie	Wayne Asphalt
	Kevin Leininger	News Sentinel

Commissioner Peters called the meeting to order at 10:03 AM. Commissioner Peters led the meeting with the Pledge of Allegiance and a moment of silence.

- 1. Approval of the minutes of March 4th, 2011.** Commissioner Brown made a motion to approve the minutes. Commissioner Bloom seconded the motion. Motion carried 3-0.
- 2. Proclamation for Flood Safety Awareness Week.** Commissioner Peters read the Proclamation.
- 3. Agreement between the Board of Commissioners and Allen County Community Corrections for delivery services on behalf of the Purchasing Department.** Robert Bolenbaugh, Purchasing Director, stated that this was an agreement between the Board of Commissioners and Community Corrections to have Kelley House provide delivery service of material, paper, toner and cartridges between buildings in the downtown area by court appointed volunteers from Kelley House who will be supervised. Commissioner Bloom made a motion to approve the Agreement between the Board of Commissioners and Allen County Community Corrections for delivery services on behalf of the Purchasing Department. Commissioner Brown seconded the motion. Motion carried 3-0.
- 4. Addendum #6 between the Board of Commissioners and Diamond Detective Agency, Inc to extend the contract for afterhours and weekend security.** Tony Burrus, Safety Director, stated that this was an extension of the agreement with Diamond Security Agency to provide after hour, weekend and holiday services for this building, the courthouse and to monitor a few other buildings. That is about 128 hours per week and this agreement reflects a 2.5% increase over the 2008 rate. Commissioner Linda Bloom made a motion to approve the Addendum #6 between the Board of Commissioners and Diamond Detective Agency, Inc to extend the contract for afterhours and weekend security. Commissioner Brown seconded the motion. Motion carried 3-0.
- 5. Bostick Rd # 268 over the St Mary's River – Change Order # 1 – additional \$3,949.36 (increase).**
 - a. Changed from the planned arsenic preservative treatment in the timber decking and hand rail to non-arsenic, due to human contact. This change will not cost the county additional money; the cost of this work will be covered by the ARRA contract.**

Bill Hartman, Highway Director, stated that this was for rehabilitation of the old iron truss bridge. In the process of designing this until the point where we went into construction, there was a change in specifications involving arsenic preservatives being used as a treatment in timber decking and handrail that might have human contact. This is 100% ARRA so no cost to County. Commissioner Bloom made a motion to accept Bostick Rd # 268 over the St Mary's River – Change Order # 1. Commissioner Brown seconded the motion. Motion carried 3-0.

6. **Diebold Rd – Phase I , Project # 1200209 and Diebold Rd – Phase II, Project # 1200108, Award of Contract.** Bill Hartman, Highway Director, stated that this project had an engineer's estimate of \$5.8 million and it bid at \$3.2 million which is 45% under the estimate. He recommended this be awarded to Wayne Asphalt who had the low bid of four bidders on the project. Commissioner Bloom made a motion to approve the Diebold Rd – Phase I , Project # 1200209 and Diebold Rd – Phase II, Project # 1200108, Award of Contract. Commissioner Brown seconded the motion. Motion carried 3-0.
7. **Wetland Services between the Allen County Board of Commissioners and Earth Source, Inc. for Ellison Rd Bridge #228 over the McCulloch Ditch, Project # 04-070. Cost - \$14,280.00.** Bill Hartman, Highway Director, stated that this bridge is due for reconstruction and there is also a pathway involved in this. INDOT widened the bridge over I-69 on Ellison Road to provide access in the future for Fox Island and in the process of widening the road along here to accommodate a pathway, we are impacting wetlands which requires additional engineering study to make that right of way acquisition take place. Commissioner Bloom made a motion to accept the contract between the Allen County Board of Commissioners and Earth Source, Inc. for Ellison Rd Bridge #228 over the McCulloch Ditch, Project # 04-070. Cost - \$14,280.00. Commissioner Brown seconded the motion. Motion carried 3-0.
8. **Warranty Deeds – Flutter Rd from St. Joe Rd to Schwartz Rd, Project # 05-276**
 - a. **Parcel 6 – Thomas**
 - b. **Parcel 19 – Collins**
 - c. **Parcel 21 & 21A – Kovara**
 - d. **Parcel 55 – Howell**

Commissioner Bloom made a motion to approve the Warranty Deeds as read. Commissioner Brown seconded the motion. Motion carried 3-0.

9. **Quitclaim Deed between the Board of Commissioners and Charles and Theresa Todd.** Bill Hartman, Highway Director, stated they were asked to vacate Greenmede Drive which is only 165' between some lots adjacent and then a larger parcel on the west side. This is a street that has never seen activity nor development planned from behind. The property owners on either side asked that this be vacated so they can each take half of this old right-of-way. He recommends approval to vacate this and deed this back to the adjacent property owners. Commissioner Bloom made a motion to accept the Quitclaim Deed between the Board of Commissioners and Charles and Theresa Todd. Commissioner Brown seconded the motion. Motion carried 3-0.
10. **Quitclaim Deed between the Board of Commissioners and Jon Niemeyer and Donald Niemeyer.** Bill Hartman, Highway Director, stated they were asked to vacate Greenmede Drive which is only 165' between some lots adjacent and then a larger parcel on the west side. This is a street that has never seen activity nor development planned from behind. The property owners on either side asked that this be vacated so they can each take half of this old right-of-way. He recommends approval to vacate this and deed this back to the adjacent property owners. Commissioner Bloom made a motion to accept the Quitclaim Deed between the Board of Commissioners and Jon Niemeyer and Donald Niemeyer. Commissioner Brown seconded the motion. Motion carried 3-0.

11. **Ratification of approval of Vacation Pay Bank for Community Corrections.** Chris Cloud, Executive Assistant, stated that earlier in the week the Commissioners approved a Vacation Pay Bank that was an emergency situation so we had to vacate from the typical process so this is ratifying the decision made earlier to approve that pay bank. Commissioner Brown made a motion to ratify the approval of the Vacation Pay Bank for Community Corrections. Commissioner Bloom seconded the motion. Motion carried 3-0.

12. Other Business:

13. Approval to waive the 2nd Reading on any matter approved today and for which it may be deemed necessary for the Legislative Session of March 11, 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 March 11, 2011. Commissioner Brown seconded the motion. Motion carried 3-0.

14. Comments from the Public. None

15. Motion to Adjourn. There being no further business, the meeting was adjourned at 10:18 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.