



## 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 25, 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
	Mike Dials	VP Operations, ACM
	Jim Berlien	WA Sheets, Construction Manager
	Dan Freck	County Maintenance
	Ron Dick	Design Collaborative
	Rich Busfield	Design Collaborative
	Robert Bolenbaugh	Purchasing Director
	Jeff Stevens	Allen County Community Corrections
	Bill Hartman	Highway Director
	Kevin Leininger	News Sentinel
	Vivian Sade	Journal Gazette

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 March 18<sup>th</sup>, 2011.** Commissioner Brown made a motion to approve the minutes. Commissioner Bloom seconded the motion. Motion carried 3-0.
- 2. Award of bids for Co-location Renovations and Asbestos Abatement projects.**

Mike Dials, VP Operations, ACM Engineering & Environmental Services, Inc. submitted their contractor recommendation for the Fort Wayne/Allen County co-location asbestos abatement project for the City County Building. They have reviewed all bids and based on the analysis done, ACM recommends that the lowest responsible bidder, Environmental Management Specialists Incorporated, be awarded all asbestos abatement work as defined in the base bid, add alternate # 2 and add alternate # 3 and unit prices as submitted on the supplementary bid form in the amount of \$1,066,371. The base bid was \$902,539. Alternate # 2 was \$142,296 and Alternate #3 was \$21,536. Commissioner Peters stated for clarification purposes and to make it known that abatement is something that would have to be done in this building at some period of time anyhow. If the building was knocked down in 20 years, it would have to be abated. If a particular floor over another floor is going to be renovated, it is going to have to be abated. Regardless of what is done, that abatement would have to occur. He stated that we are looking at abating a good portion of this building now at a cost of \$1,000,000 when in fact that cost could very well escalate in future years for the exact same amount of abatement based on material costs and labor costs inflating. Commissioner Peters stated at the end of the day, part of the judgment will be whether we were able to bring this project in at cost. He thinks it is really important for people to understand that while we did have this abatement, we are still bringing the project itself in under what we had originally talked about to begin with. Commissioner Bloom made a motion to accept the lowest responsible bidder, Environmental Management Specialists, for asbestos abatement at \$1,066,371 as presented by ACM. Commissioner Brown seconded the motion. Motion carried 3-0.

Jim Berlien of WA Sheets, the Construction Managers for the general construction renovation project presented this item. They are working jointly with the architects Design Collaborative and today are presenting all bids including 18 alternates that were accepted on March 3. A letter outlining the apparent low bidders was presented to the Commissioners as well as bid tabulations of all alternates that were received. Various compiled and tabulated exhibits were submitted also. There were 7 prime contracts that they received bids for and the summary sheet submitted outlined the dollar value of each of those 7 contractors. These included the base bids and the alternates that were to be incorporated into the project. Mr. Berlien read through the different bid packages and stated who the low bidders were. He stated that in all cases of the base bid, each of the 7 contractors was the low bid. Also, when you tabulate the alternates that were chosen and compile those and add them to the base bid, each of those 7 contractors is still the low bidders. The total construction costs including the base bid and the selected alternates is \$3,157,912. Commissioner Bloom made a motion to accept the construction costs at \$3,157,912. Commissioner Brown seconded the motion. Motion carried 3-0.

- 3. Fuel Purchase Agreement between the Board of Commissioners and Petroleum Traders Corporation and AG Plus.** Robert Bolenbaugh, Purchasing Director, stated that this was a bid event that was conducted by FWCS, on behalf of the schools, County of Allen and the City of Fort Wayne. He recommends that the bid from Petroleum Traders be accepted. The net result would be a savings of \$14,920 in year one and \$5,061 in years two and three of the contract. On the diesel side we also have a reduction in fuel cost and that savings would be \$1,852 each year with AG Plus. Commissioner Brown made a motion to accept the Fuel Purchase Agreement between the Board of Commissioners and Petroleum Traders Corporation and AG Plus. Commissioner Bloom seconded the motion. Motion carried 3-0.
- 4. Resolution regarding the original General Motors Ledge Agreement.** Mark Royse, Director of Economic Development, stated this resolution is basically to address an accounting situation due to the bankruptcy filed in 2009. The original agreement was entered into in 2005 with Allen County and General Motors Corporation and at that time it was a cash upfront deal with provisions for payback over a 10 year period. The 2009 bankruptcy led to General Motors Corporation no longer existing but rather General Motors LLC being the new entity. The original County Ledge Agreement and those provisions still remained on their books. In 2009, Allen County did a joint agreement with the City of Fort Wayne for funding another Ledge Agreement for another investment at that operation. Basically, what this resolution says is that the effective agreement is the joint agreement with the City and the County and that it supersedes the previous agreement done in 2005. Commissioner Brown made a motion to approve the Resolution regarding the original General Motors Ledge Agreement. Commissioner Bloom seconded the motion. Motion carried 3-0.
- 5. Amendment #3 to grant agreement between the Board of Commissioners and Indiana Department of Correction on behalf of Community Corrections.** Jeff Steven, Sr. Financial Manager, of Community Corrections presented this amendment. This amendment provides funding for the current fiscal year. Commissioner Bloom made a motion to accept the Amendment #3 to grant agreement between the Board of Commissioners and Indiana Department of Correction on behalf of Community Corrections. Commissioner Brown seconded the motion. Motion carried 3-0.
- 6. Warranty Deeds – Diebold Rd – Phase I – Dupont Rd to Norarrow Drive, Project # 1200209**
  - a. Parcel 2 – McArdle
  - b. Parcel 7 – MacFarland
  - c. Parcel 13 & 13A – North Professional Office, LLC

Bill Hartman, Highway Director, presented this item. Commissioner Bloom made a motion to accept the Warranty Deeds – Diebold Rd – Phase I. Commissioner Brown seconded the motion. Motion carried 3-0.

- 7. Warranty Deeds – Flutter Rd – St Joe Rd to Schwartz Rd, Project # 05-276**
  - a. Parcel 42 – Seibert
  - b. Parcel 40 – Kage
  - c. Parcel 99 – Billian/Smith
  - d. Parcel 100A & 100B – Evans

Bill Hartman, Highway Director, presented this item. Commissioner Bloom made a motion to accept the Warranty Deeds–Flutter Rd–St Joe Rd to Schwartz Rd. Commissioner Brown seconded the motion. Motion carried 3-0.

- 8. Warranty Deeds – Gump Rd – SR 3 to Coldwater Rd, Project # 03-296**
- a. Parcel 51 – Onz**
  - b. Parcel 61 – Lutter**
  - c. Parcel 62 – Taylor**

Bill Hartman, Highway Director, presented this item. Commissioner Bloom made a motion to accept the Warranty Deeds – Gump Rd –SR 3 to Coldwater Rd. Commissioner Brown seconded the motion. Motion carried 3-0.

- 9. Change Order # 35 – Maplecrest Rd – SR 930 to Lake Ave, Project 00-227. Amount of change order #35 - \$2,590.33 (increase).** Bill Hartman, Highway Director, stated that drainage tiles were encountered in the process of moving utilities around on the project and had to be perpetuated in order to take care of existing drainage in the area. Commissioner Bloom made a motion to approve Change Order # 35 – Maplecrest Rd – SR 930 to Lake Ave, Project 00-227. Amount of change order #35 - \$2,590.33 (increase). Commissioner Brown seconded the motion. Motion carried 3-0.

- 10. Addition to Allen County Code Title 12 (Financial) – Article 188 (Parkview Diebold Fund).** Chris Cloud, Executive Assistant, stated that this will segregate the monies received from Parkview for the Diebold project basically acting as an escrow account so that we can monitor that and keep it separate. Commissioner Bloom made a motion to accept the Addition to Allen County Code Title 12 (Financial) – Article 188 (Parkview Diebold Fund). Commissioner Brown seconded the motion. Motion carried 3-0.

- 11. Other Business:** None

- 12. 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 25, 2011.** Commissioner Brown 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 25, 2011. Commissioner Bloom seconded the motion. Motion carried 3-0.

- 13. Comments from the Public.** None

- 14. Motion to Adjourn.** There being no further business, the meeting was adjourned at 10:30 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.*