



## 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, April 22, 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                 |
|                 | Bill Fishering | County Attorney                      |
|                 | Bill Hartman   | Highway Director                     |
|                 | Cheri Becker   | Leadership FW / Friends of the River |
|                 | Susan Orth     | Treasurer                            |
|                 | Ken Neumeister | Freedom Consulting LLC               |
|                 | Todd Guthrie   | Wayne Asphalt                        |
|                 | Vivian Sade    | Journal Gazette                      |

Commissioner Peters called the meeting to order at 10:01 AM. Commissioner Peters led the meeting with the Pledge of Allegiance and a moment of silence.

- 1. Approval of the minutes of April 8, 2011.** Commissioner Brown made a motion to approve the minutes. Commissioner Bloom seconded the motion. Motion carried 3-0.
- 2. Contract to Conduct Auction of Delinquent Real Estate Property between the Board of Commissioners and Wiegmann Auctioneers & Real Estate on behalf of the Treasurer.** Susan Orth, Treasurer, presented this item. This is a contract for the auctioneer for the October 5<sup>th</sup> tax sale this fall. It is exactly the same as last year and the only difference is that the sale will take place at the Coliseum instead of the City/County Building because that room will no longer be available. Commissioner Bloom made a motion to accept the Contract to Conduct Auction of Delinquent Real Estate Property with Wiegmann Auctioneers & Real Estate and the Treasurer. Commissioner Brown seconded the motion. Motion carried 3-0.
- 3. Update from Friends of the River/Leadership Fort Wayne.** Cheri Becker, Executive Director of Leadership Fort Wayne, presented this update. She requested the Commissioners to consider allowing Leadership Fort Wayne to use \$5,000 of the designated dollars given them last year to be put towards a matching National Endowment for the Arts federal grant application to be used so they can leverage an additional \$5,000 to be dedicated for help in the process of a comprehensive plan. These funds would be restricted for the development of a plan. Should the grant be awarded from the NEA and the plan is not included in the award, they would not be dedicating those funds as previously identified. Commissioner Bloom made a motion to allow Leadership Fort Wayne to use \$5,000 of the designated dollars given them last year to be put towards a matching National Endowment for the Arts federal grant application. Commissioner Brown seconded the motion. Motion carried 3-0.
- 4. Memorandum of Understanding with General Mills regarding the proposed project at 12300 Bluffton Road. DEFERRED**
- 5. Engineering Services Agreement between Allen County Highway Department and A&Z Engineering, LLC, to secure the required IDEM Rule 5 Permits at a total cost of \$10,050 for the following Conversion Projects:**

- a. Rupert Road frm Hursttown Rd to Campbell Rd, Project 0500310**
- b. Conners Road frm South County Line Rd to Yoder Rd, Project #0500610.**

Bill Hartman, Highway Director, stated that this is for conversion projects. Previously they had viewed those as maintenance projects. They were informed by IDEM that they are indeed construction projects and they do need these permits which require plans, engineering and survey work, etc. Commissioner Bloom asked if all of our conversion projects would now have to be engineered by an outside source. Bill answered just the erosion control portion of the plan. Commissioner Bloom made a motion to accept the Engineering Services Agreement between Allen County Highway Department and A&Z Engineering, LLC, to secure the required IDEM Rule 5 Permits at a total cost of \$10,050 for the following Conversion Projects. Commissioner Brown seconded the motion. Motion carried 3-0.

- 6. Warranty Deed – Dawkins Rd Bridge #187, Project # 04-237**
  - a. Parcel 2 – Coomer**
  - b. Parcel 4 - Tracey**

Commissioner Bloom made a motion to approve Warranty Deed – Dawkins Rd Bridge #187, Project # 04-237. Commissioner Brown seconded the motion. Motion carried 3-0.

- 7. Warranty Deeds – Gump Rd – From SR # 3 to Coldwater Rd, Project # 03-296**
  - a. Parcel 3 – Clair**
  - b. Parcel 4 – Warner**
  - c. Parcel 12 – Hidden Oaks Place Community Association, Inc.**
  - d. Parcel 14 – Nahrwold**
  - e. Parcel 24 – Mobile Veterinary Services, P.C.**
  - f. Parcel 40 – Dawson**
  - g. Parcel 41 – England**
  - h. Parcel 47 – Carey**

Commissioner Brown made a motion to approve Warranty Deeds – Gump Rd – From SR # 3 to Coldwater Rd, Project # 03-296. Commissioner Bloom seconded the motion. Motion carried 3-0.

- 8. Change Order #1, for Diebold Road, Phase 1 & 2, Project #'s 1200209 and 1200108.**

**Subtotal This Change Order #1, Phase 1, Project #1200209, \$184,776.73 (Increase)**  
**Subtotal This Change Order #1, Phase 2, Project #1200108, \$21,117.50 (Increase)**  
**Total Amount of This Change Order #1 - \$205,894.23 (Increase)**

**Reason for this Change Order #1:**

- **Changed Conditions; Asbestos Found to be Present within Structure to be Demolished (Asbestos Removal and Disposal) and Additional Construction Signs.**
- **Scope Changes as Directed by ACHD; Revised Pavement Section.**
- **Due to the projected traffic volume Diebold Road will be subjected to it was determined to modify the proposed pavement section for Phase 1 and Phase 2.**

Bill Hartman, Highway Director, stated that in Change Order #1, \$16,368 is for asbestos found in a structure that had to be dealt with. The balance of that \$184,000 is to add 3” of asphalt base material to the road itself. This road project was originally designed with a minimum development standard. Now that there will be an interchange built, with the additional traffic and weight of the traffic to do the construction in that area, they took approximately 2” of #2 stone out of the typical cross-sections and 2” of #53 stone and added 3” of hot asphalt base which they feel will be much stronger to handle that kind of traffic. On Phase 1 Parkview is essentially the major player in that. They had already approved their portion of that. Our main portion in Phase 2 and the \$21,000 is primarily what will come out of our pockets. Commissioner Bloom made a motion to approve Change Order #1, for Diebold Road, Phase 1 & 2, Project #'s 1200209 and 1200108. Commissioner Brown seconded the motion. Motion carried 3-0.

**9. Other Business:**

**Traffic Posting Change – Lower speed limit from 45mph to 35mph on Diebold from Dupont to Union Chapel during construction.** Commissioner Bloom made a motion to approve the traffic posting change. Commissioner Brown seconded the motion. Motion carried 3-0.

**10. 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 April 22, 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 April 22, 2011. Commissioner Bloom seconded the motion. Motion carried 3-0.

**11. Comments from the Public.**

**12. Motion to Adjourn.** There being no further business, the meeting was adjourned at 10:21 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.*