



## 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 29, 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
	Rhonda Rice	Commissioners Office
	Ken Fries	Allen County Sheriff
	Bill Fishing	County Attorney
	Matt Jarrett	Surveyor's Office
	Scott Harrold	DPS
	Chris Dunn	YSC
	Bill Hartman	Highway Director
	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 April 22, 2011.** Commissioner Bloom made a motion to approve the minutes. Commissioner Peters seconded the motion. Motion carried 2-0.
- 2. Law Enforcement Service Agreement between the Board of Commissioners and Town of Monroeville on behalf of the Allen County Sheriff.** Sheriff Fries presented this item. This is the same agreement they have had in the past with the Town of Monroeville. There is an increase because they have asked for an increase in hours of patrol. Commissioner Peters asked the Sheriff if he was comfortable that this covers overhead and everything going into it. Sheriff replied that what he would like to do, and he will have to go to Council about it, is that this money goes back to the general fund and he would like to start getting some of that money back to pay for confinement officers. Basically what they did was take officers out of the jail to put officers out there. He would like to get some of the money back to hire confinement officers. Commissioner Peters asked at what point or for what reasons would he increase the fee to them, such as if the officers got an increase in salary. The Sheriff responded that that is about the only reason they would increase the fee. The Sheriff said item # 4 below is the same. Commissioner Bloom made a motion to approve the Law Enforcement Service Agreement between the Board of Commissioners and Town of Monroeville on behalf of the Allen County Sheriff. Commissioner Peters seconded the motion. Motion carried 2-0.
- 3. Law Enforcement Service and Community Resource Officer Agreement between the Board of Commissioners and the Towns of Leo-Cedarville and Grabill on behalf of the Allen County Sheriff.** Commissioner Bloom made a motion to approve the Law Enforcement Service and Community Resource Officer Agreement between the Board of Commissioners and the Towns of Leo-Cedarville and Grabill on behalf of the Allen County Sheriff. Commissioner Peters seconded the motion. Motion carried 2-0.
- 4. Memorandum of Agreement for the Continued Operation and Funding of an Allen County Partnership for Water Quality between Allen County, Indiana and the Allen County Soil and Water Conservation District on behalf of the Allen County Surveyor.** Matt Jarrett, Surveyor's Office, presented this agreement which is the vehicle utilized to help fulfill the IDEM Rule 13 requirements for

public education and public involvement. He requested the Commissioners to sign this MOU in show of support in that endeavor. This is updated and redone every 5 years. This is funded through the Allen County Surveyor's office. Commissioner Bloom made a motion to approve the Memorandum of Agreement for the Continued Operation and Funding of an Allen County Partnership for Water Quality between Allen County, Indiana and the Allen County Soil and Water Conservation District on behalf of the Allen County Surveyor. Commissioner Peters seconded the motion. Motion carried 2-0.

5. **Memorandum of Understanding with General Mills regarding the proposed project at 12300 Bluffton Road.** Scott Harrold, DPS, presented this item. He stated that this is the final form done in conjunction with General Mills. He stated that he and Bill Fishing are comfortable with the language as it is now. Basically, General Mills are looking to build a 1.5 million square foot distribution center off Bluffton Road near the old Nestle facility which they are currently leasing. There have been a number of commitments made on both sides and this memorandum brings everything together into one document for one reference point so that everyone understands who is responsible for doing what and when. They have agreed to invest about \$37 million to build a 1.5 million square foot distribution facility and equip it with racking, etc. They would retain the 78 current jobs in the leased facility and add 65 new jobs when they begin operations in the new building. Some of the commitments made by the County are to assist them with the purchase of the property by buying down the cost of the land by \$2,500 an acre not to exceed \$250,000. The other major incentive was the County Council approved 10 year tax abatement for them. The rest of the commitments are essentially off-site infrastructure which makes it feasible for them to locate and operate here but will also open up additional acreage for future development for some property that the Redevelopment Commission is in the process of purchasing. This includes an access road about ¼ mile long that would run between those two properties, the General Mills property and the future redevelopment property. Also included is the construction of the accel/decel lane on Bluffton Road and a short extension of a 12-18" sewer line from Winters Road down to the project site which will done in conjunction with City Utilities. He stated the last thing was regarding offsite drainage and that we would be working with the Surveyor's office and the Drainage Board redoing that because it needs to be redirected. Commissioner Peters asked what the bottom line was from Allen County in terms of various commitments for infrastructure, road, land buy-down, etc. Scott replied that the current estimates are \$850,000 for off-site restructure, \$250,000 for the land buy-down so the total is about \$1.1 million. He stated that this is a TIF district so we will get the money back. Commissioner Peters stated that he thinks the general public often doesn't understand when it comes to some of the incentives government pays out is that the money does eventually come back and folks are not out anything and this area is in a great position for future development. Commissioner Bloom made a motion to approve the Memorandum of Understanding with General Mills regarding the proposed project at 12300 Bluffton Road. Commissioner Peters seconded the motion. Motion carried 2-0.
6. **Approval of Exception to No-Pay Days policy for the Youth Services Center due to fluctuating population.** Chris Dunn, Youth Service Center, stated that prior to bringing this request to the Commissioners he did meet with County HR department and the Auditor's office to make sure there would be no problems with this. He requested the exception to the current county policy based on their numbers. At the beginning of this month they were near their capacity but the numbers constantly fluctuate and have been fluctuating more the last 2 years. He would like to save the County dollars by allowing some staff the opportunity to take some time off and not use their time. He stated when the numbers shoot back up we need to be able to bring them in to supervise the kids. The State dictates the number of staff they need based on the number of children they have and also the age of the children. Commissioner Bloom made a motion to accept the Approval of Exception to No-Pay Days policy for the Youth Services Center due to fluctuating population. Commissioner Peters seconded the motion. Motion carried 2-0.
7. **Approval of Change Orders 3, 4, 5 & 6, for ARRA Resurface Contract #SR-32870, the total Amount of Change Orders 3, 4, 5 & 6:\$1,185.46 (INCREASE).**

**This Change Order #3 is in the amount of \$120.70 (INCREASE) Reason for Change Order #3; Scope Changes as Directed by ACHD, Additional Pavement Markings (Crosswalks at School)**

**This Change Order #4 is in the amount of \$364.76 (INCREASE) Reason for Change Order #4; Errors In Bid Documents, No Broken Yellow 6 Inch Paint Line Provided for in Contract.**

**This Change Order #5 is in the amount of \$700.00 (INCREASE) Reason for Change Order #5; Scope Changes as Directed by ACHD, Additional Pavement Markings Removal and Replacement (R/R Crossing Stop Bars).**

**This Change Order #6 is in the amount of \$0.00 Reason for Change Order #6; Contract Completion Date Extension; the project is complete.**

**This additional cost will be the responsibility of the Allen County Highway Department.**

Bill Hartman, Highway Director, stated that change orders #3, #4 and #5 are for additional striping. Change order #6 is to extend a completion date by 1 day to help finish some striping. Commissioner Bloom made a motion to approve Change Orders 3, 4, 5 & 6, for ARRA Resurface Contract #SR-32870, the total Amount of Change Orders 3, 4, 5 & 6. Commissioner Peters seconded the motion. Motion carried 2-0.

- 8. Consider approval of Change Order #6 for TECUMSEH STREET OVER MAUMEE RIVER, (BRIDGE #537), ALLEN COUNTY, INDIANA, PROJECT #BR0298, Bid Ref #32-08, in the amount of \$199,268.52 (INCREASE).**

**Reason for Change Order: Changed Field Conditions and Scope Changes as Directed By ACHD.**

<b>Original Contract Amount</b>	<b>\$2,195,027.43</b>
<b>Change Order #1</b>	<b>10,347.20 (Increase)</b>
<b>Change Order #2</b>	<b>22,926.94 (Increase)</b>
<b>Change Order #3</b>	<b>111,761.95 (Increase)</b>
<b>Change Order #4</b>	<b>505,273.85 (Increase)</b>
<b>Change Order #5</b>	<b>111,615.70 (Increase)</b>
<b><u>This Change Order #6</u></b>	<b><u>199,268.52 (Increase)</u></b>
<b>Adjusted Contract Amount To Date</b>	<b>\$3,156,221.59</b>

Bill Hartman, Highway Director, stated they had to place an additional 1800 sq. ft. of pneumatically place mortar in order to complete the repair of the underside of arch rings through the structure and that was \$82,409 of this increase. 419 sq. ft. of limestone quoins which line the inside of the arch ring needed to be replaced at a cost of \$113,000 because they were deteriorated beyond repair. In this change order there are \$205,374.16 of increases and \$6,105.64 of decreases for an overall change of \$199,268.52. This will complete the construction portion of the process. Commissioner Bloom stated there has been much more decay and damage than anticipated on this project because of the limestone. Bill stated that this structure had an extreme amount of damage because of internal drainage issues over the past 100 years. It is a much better constructed structure bridge now. Commissioner Bloom made a motion to approve Change Order #6 for TECUMSEH STREET OVER MAUMEE RIVER, (BRIDGE #537). Commissioner Peters seconded the motion. Motion carried 2-0.

- 9. Warranty Deeds for Gump Rd from SR #3 to Coldwater Rd, Project # 03-296**
- a. Parcel 16 – Miller**
  - b. Parcel 23 – J. Walcutt**
  - c. Parcel 29 – Yurkovic**
  - d. Parcel 58 – Scott**

Commissioner Bloom made a motion to approve Warranty Deeds as read. Commissioner Peters seconded the motion. Motion carried 2-0.

- 10. Appointments to the Three Rivers Ambulance Authority and Emergency Management Advisory Council.** Chris Cloud, Executive Asst., stated the names before them today for Three Rivers Ambulance Authority are Shelly Miller from Lutheran and Don Garman from Parkview. These names were provided

by the health networks and they are to fill appointments of the health networks whose current people are stepping down. Chris Cloud stated that he confirmed with Mr. Packnett and Mr. Dorko that these were their picks. Commissioner Peters made a motion to approve the appointments to the Three Rivers Ambulance Authority. Commissioner Bloom seconded the motion. Motion carried 2-0.

Chris Cloud stated the names for the appointments to EMAC by the health networks are Tim Davie from Lutheran and Tom Rhoades from Parkview. Both of these gentlemen serve as the health networks safety advisors. Commissioner Bloom made a motion to approve the appointments to the Emergency Management Advisory Council. Commissioner Peters seconded the motion. Motion carried 2-0.

**11. Agreement between the Board of Commissioners and MSKTD & Associates for space evaluation and utilization of the 911 Call Center.** Commissioner Peters explained that this is a contract with MSKTD for \$2,250 to look at expanding space in the basement of the City/County Building for the 911 Communication Center. Currently we are looking at the prospect of going to a narrow banding system which is a federal mandate and will require, according to 911, more space to house the equipment that will be necessary to comply. They are currently in 5500 square feet and they believe that will not be adequate to house some of the new equipment. We have asked MSKTD to look at what it would look like to maybe knock out a couple of walls to allow them to expand. Commissioners Bloom made a motion to have the Agreement between the Board of Commissioners and MSKTD & Associates for space evaluation and utilization of the 911 Call Center. Commissioner Peters seconded the motion. Motion carried 2-0.

**12. Other Business:**

**13. 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 29, 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 April 29, 2011. Commissioner Peters seconded the motion. Motion carried 2-0.

**14. Comments from the Public.**

**15. Motion to Adjourn.** There being no further business, the meeting was adjourned at 10:31 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.*