



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, May 20, 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
	Ken Fries	Allen County Sheriff
	Bill Hartman	Highway Director
	Adam Henry	Beers Mallery Backs & Salin
	Phil Gutman	Financial Advisor
	Mark Royce	Department of Planning Services
	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 May 13, 2011.** Commissioner Brown made a motion to approve the minutes. Commissioner Bloom seconded the motion. Motion carried 3-0.
- 2. Animal Control Agreement between the Board of Commissioners and City of New Haven.** Ken Fries, Sheriff, stated that this agreement between us and New Haven that says will pay us \$25 per stray picked up plus any fees charged to the Commissioners by the City of Fort Wayne. The money goes into the general fund. There are usually only a few pickups per week so this does not generate much money. Commissioner Brown made a motion to approve the Animal Control Agreement between the Board of Commissioners and City of New Haven. Commissioner Bloom seconded the motion. Motion carried 3-0.
- 3. Change Order # 1 for Bostick Rd Bridge # 262 over the St. Mary's River; Project # 04-123, INDOT Contract # B-30863. Total Amount for Change Order # 1 - \$10,135.00 (Increase).** Bill Hartman, Highway Director, stated change was due to a change in the concrete design mix used in deck of bridge. Microsilica and calcium nitrate was added to mix which will hopefully prolong the life of the deck considerably. Commissioner Bloom made a motion to approve Change Order # 2 for Bostick Rd Bridge # 262 over the St. Mary's River; Project # 04-123, INDOT Contract # B-30863. Commissioner Brown seconded the motion. Motion carried 3-0.
- 4. Change Order # 2 for Bostick Rd Bridge # 262 over the St. Mary's River; Project # 04-123, INDOT Contract # B-30863. Total Amount for Change Order # 2 - \$13,368.20 (Increase).** Bill Hartman, Highway Director, stated this was due to additional wet excavation of 52 cubic yards and some additional piling required underneath the foundation of the piers. Our share of this is \$2,673.64. Commissioner Bloom made a motion to approve Change Order # 2 for Bostick Rd Bridge # 262 over the St. Mary's River; Project # 04-123, INDOT Contract # B-30863. Commissioner Brown seconded the motion. Motion carried 3-0.
- 5. Warranty Deeds – Gump Rd – SR 3 to Coldwater Rd, Project # 03-296**
 - a. Parcel 18 – Gamble**
 - b. Parcel 34 – Brown**
 - c. Parcel 38 – Freiburger**

d. Parcel 50 - Hassig

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

6. **Change Order # 2 – Diebold Rd, Phase I & II, from Dupont Rd to Union Chapel Rd, Project #'s 1200209 and 1200108. Change Order # 2 – Phase I, Project # 1200209 - \$13,839.00 (Increase).** Bill Hartman, Highway Director, stated this is in Phase I and it is a water line extension that needs to be taken care of. This is Parkview's cost. Commissioner Bloom made a motion to approve Change Order # 2 – Phase I, Project # 1200209 - \$13,839.00. Commissioner Brown seconded the motion. Motion carried 3-0.
7. **Vacation Pay Bank for Community Corrections.** Chris Cloud, Executive Assistant, stated that Sheila Hudson requested a vacation bank for one of Community Corrections employees. Commissioner Bloom made a motion that we have a Vacation Pay Bank for Community Corrections. Commissioner Brown seconded the motion. Motion carried 3-0.
8. **Memorial Coliseum Bond Refunding Documents.** Adam Henry, Beers, Maller, Backs & Salin, presented these documents for the Commissioners signature. Phil Gutman, Financial Advisor, stated the Final Official Statement for this bond issue is the taxable portion of the Coliseum bid. The projected savings several weeks ago was \$456,000 over the remaining life of the lease. Now after getting some of the expenses and costs of issuance in, it will probably be just shy of \$460,000 over the life of the lease. In a taxable market that is quite good. Mr. Henry stated that in order to effectuate this transaction in which we will be repaying the 2001B Bonds for the Coliseum, the Allen County War Memorial Coliseum Additions Bldg. Corp. will be borrowing the sum of \$5,145,000 and issuing bonds, Series 2011B Bonds. To do so there are several documents to approve and execute. Mr. Henry listed the following documents and explained their purpose and asked for their approval:
 - **Final Official Statement from Allen County War Memorial Coliseum Additions Bldg. Corp. Refunding Revenue Bonds, Series 2011B.** Commissioner Brown made a motion to approve the Final Official Statement from Allen County War Memorial Coliseum Additions Bldg. Corp. Refunding Revenue Bonds, Series 2011B. Commissioner Bloom seconded the motion. Motion carried 3-0.
 - **2nd Amendment to the Contract of Lease between the Allen County War Memorial Coliseum Building Corporation and the Allen County Commissioners.** Commissioner Bloom made a motion to approve the 2nd Amendment to the Contract of Lease between the Allen County War Memorial Coliseum Building Corporation and the Allen County Commissioners. Commissioner Brown seconded the motion. Motion carried 3-0.
 - **The General Certificate of the Commissioners and the Auditor.** Commissioner Bloom made a motion to approve the General Certificate of the Commissioners and the Auditor. Commissioner Brown seconded the motion. Motion carried 3-0.
 - **2nd Supplemental Trust Indenture.** Commissioner Brown made a motion to approve the 2nd Supplemental Trust Indenture. Commissioner Bloom seconded the motion. Motion carried 3-0.
 - **Continuing Disclosure Undertaking Agreement.** Commissioner Brown made a motion to approve the Continuing Disclosure Undertaking Agreement. Commissioner Bloom seconded the motion. Motion carried 3-0.

Mr. Gutman thanked the Commissioners for the opportunity to serve and stated that they will have a pre-closing of the transaction today at 2pm. Passing of the money is scheduled for next Tuesday and at that time this will be complete.

Mr. Henry stated that the closing takes place next week and asked that if there were any documents that needed to be signed by the Commissioners or any County member that they are able to approach us between now and Tuesday. Commissioner Brown made a motion to that affect. Commissioner Bloom seconded the motion. Motion carried 3-0.

9. **Technical Assistance Agreement between the Board of Commissioners and IPFW for use of the Community Research Institute.** Mark Royce, Department of Planning Services, stated that this is an annual grant for \$25,000 and has been done for the past 25 years. It used to pass through the Chamber.

This is the second year that it is a direct contract between the Board of Commissioners and the Community Research Institute. Basically, the CRI out of IPFW provides a lot of data and value added information with regards to economic development, employment and those factors. Under the scope of services, #4 is probably the biggest one where instead of having individual contracts for specific activities, this is basically considered a retainer. The Commissioners, Council members and staff all have access to the CRI as well as other organizations such as the Economic Development Alliance and the Partnership. Commissioner Bloom made a motion to approve the Technical Assistance Agreement between the Board of Commissioners and IPFW for use of the Community Research Institute. Commissioner Brown seconded the motion. Motion carried 3-0.

10. Other Business:

11. Approval to waive the 2nd Reading on any matter approved today and for which it may be deemed necessary for the Legislative Session of May 20, 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 May 20, 2011. Commissioner Brown seconded the motion. Motion carried 3-0.

12. Comments from the Public.

13. 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.