



BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEN

Citizens Square Building Suite 410 · 200 E. Berry 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, July 8, 2011

Council Chambers Courtroom – Citizens Square

Commissioners Present: Nelson Peters, Linda Bloom and Therese Brown

Others Present:	Chris Cloud	Commissioners Office
	Mike Green	Commissioners Office
	Bill Fishing	County Attorney
	Bill Hartman	Highway Dept.
	Cathy Serrano	County HR Director
	Bob Bolenbaugh	Purchasing
	Tony Burrus	Safety & Environmental
	Beth Lock	Commissioners Office
	Chris Brewer	Huntertown Citizen
	Vivian Sade	Journal Gazette

Commissioner Peters called the meeting to order at 10:05 AM. Commissioner Peters led the meeting with the Pledge of Allegiance and a moment of silence.

- 1. Approval of the minutes of June 17rd and June 24th, 2011.** Commissioner Brown made a motion to approve the minutes. Commissioner Bloom seconded the motion. Motion carried 3-0.
- 2. Insurance renewal and cycle change for property, general liability, and automobile liability insurance coverage.** Cathy Serrano, Director of Allen County Human Resources, stated this is probably the last time she will be presenting in her former role as Risk Manager as the reins of Risk Manager have formally been handed over to Vanessa Miller. Cathy stated that over the last few months, as done about every 4 years, they went out and solicited 5 bids for our insurance business - general liability, property casualty and also the automobile and vehicle insurance coverage. Five excellent bids were received which were narrowed down to 3 top runners that came in close to flat with what we had last year with the budget. This year she asked them to specifically review what we are doing business wise with our insurance and to come back with proposals on whether or not we are doing it right and whether we could be doing something better. Basically to do a risk analysis as part of their proposal and also look at our loss control. Cathy stated the third thing she asked them to do was to look at service, which is also very important especially with having a new risk manager coming in. Commercial insurance is a very different and difficult animal especially when you have an entity like this that is very diverse. The 3 top runners did a good job at that. They came in basically flat with some options. They all did an excellent job in taking a look at the risk assessment and analysis and loss control. Cathy stated that she worked closely with Vanessa analyzing this because there was a lot of work involved because they came at it from 3 very different approaches. They narrowed it down to 2 final runners and between the 2 of those we landed back with Lupke Rice who has been our agency in the past for a couple of reasons. The first reason is the premium which is flat or maybe a little bit lower depending on the options we choose to go with. A couple of options she recommends will increase our deductible for the vehicles from \$500 to \$5,000. She stated she likes that as a risk control measure because that passes the cost for those wrecks back to the departments. It is a little hard on the departments to accept that sometimes but it also gives them an incentive to keep the accident rates down which is something we need to do. So we are basically self-insured for that amount on vehicle accidents. She also recommends increasing our general liability from \$10,000 to \$100,000 deductible for the same reasons. We have a really good loss history on the

general liability and property side and we can afford to take some risks there. That \$100,000 would mean we would be self insured for certain small buildings but for the larger buildings we would be in good shape. The blankets on the downtown buildings, the courthouse, the fine art and those sorts of things are all still adequately covered. This proposal will continue in that vein. Cathy stated she is recommending that we do go with Lupke Rice with the options she presented with the higher deductibles which will make us assume a little more risk and be a little bit more self insured. But with our loss ratios and history she thinks we need to start going that way. Commissioner Brown asked what now would be the cycle for the insurance coverage. Cathy stated we are converting from an annual renewal basis every January to a fiscal renewal basis. When going through the budgeting process, the figure you will be working with will actually be the real figure. It won't be a fictional figure in a best guess scenario like we have had to do in the past. Commissioner Peters commended Cathy and Vanessa for the job they have done and the thoroughness of the insurance analysis. Commissioner Brown made a motion to approve the insurance renewal and cycle change for property, general liability, and automobile liability insurance coverage. Commissioner Bloom seconded the motion. Motion carried 3-0.

- 3. Agreement between the Board of Commissioners and Environmental Management Specialists for asbestos abatement at the City-County Building.** Robert Bolenbaugh, Purchasing Director, presented this item. Commissioner Brown asked if this was part of the total remediation of the building as we are going through the reconstruction of the building itself. Commissioner Bloom asked what the total cost was. Chris Cloud, Executive Assistant, stated that this was the low bid on the bid taken about 3 months ago. There were 4 bidders and we had to reject the apparent low bid because their bid was not accurate, for lack of a better term. This was the next lowest bid. We did accept alternates 2 and 3 so it was \$1,066,371. Commissioner Brown made a motion to approve the Agreement between the Board of Commissioners and Environmental Management Specialists for asbestos abatement at the City-County Building. Commissioner Bloom seconded the motion. Motion carried 3-0.
- 4. Support Services Agreement between the Board of Commissioners and Cassidian Communications, Inc on behalf of 911 Communications.** Chris Cloud, Executive Asst., stated he would be presenting this as 911 Director Lee is moving and Denny from D&M is out today. This is a renewal of a support agreement we have had for a number of years with Cassidian. This is the support for the 911 infrastructure in the basement. Not necessarily the radio system but the routers that take phone calls and put them to the dispatching PC's. This covers hardware and software maintenance on everything but the PC's which we own. It is \$44,000 for a multiyear renewal and per Denny, this should be the last time we have to have a hardware/software agreement because in the near future we will have a new 911 system which will be covered under warranty. Commissioner Peters asked if this was flat from last year and also if this was based on a multiyear proposal, is it just for one year since we will be moving into the new system? Chris stated that per Tony Burrus, this was previously a 5 year agreement and has been changed to a one year agreement. We will be able to terminate this agreement if needed with a 90 day notice. Chris stated that he believes Denny told him the cost was slightly higher than last year. Commissioner Brown asked if this covers everything, city and county? Chris stated it covers everything in the basement with the exception of the PC's and the radio towers on the roof. Commissioner Brown made a motion to approve the Support Services Agreement between the Board of Commissioners and Cassidian Communications, Inc on behalf of 911 Communications. Commissioner Bloom seconded the motion. Motion carried 3-0.
- 5. Sign Requests – Bridgewater Subdivision**
 - a. Galapagos Drive at Sandstone Drive – Remove 4 way Stop – Post Galapagos Dr “Stop” for Sandstone Drive**
 - b. White Coral Drive at Sandstone Drive – Remove 4 way Stop – Post White Coral Drive “Stop” for Sandstone Drive**
 - c. Waxwing Court at Sandstone Drive – Post 3-way Stop**
 - d. Rock Dove Road at Sandstone Drive – Post 3-way Stop**

Bill Hartman, Highway Director, stated we erected some signs earlier and the neighborhood association took a second look at it and asked us for some revisions. Commissioner Brown made a motion to approve the Sign Requests – Bridgewater Subdivision (a-d). Commissioner Bloom seconded the motion. Motion carried 3-0.

6. **Warranty Deeds – Flutter Rd – St Joe Rd to Schwartz Rd – Project # 05-296**
 - a. **Parcel 27 – Misner**
 - b. **Parcel 67 – Zehr**
 - c. **Parcel 90 – Estate of Evenly Blume Davey**

Bill Hartman, Highway Director, presented this item. Commissioner Bloom made a motion to approve the Warranty Deeds as read. Commissioner Brown seconded the motion. Motion carried 3-0.

7. **Bid Award of Construction Contract to R.L. McCoy, Inc., for BID REFERENCE #10-11, ST JOSEPH CENTER ROAD BRIDGE #108 OVER ST JOSEPH RIVER, WIDENING AND REHABILITATION PROJECT #03-295, ST JOSEPH TOWNSHIP, SECTIONS 18 & 19, ALLEN COUNTY, INDIANA.**

One (1) bid was received and opened. The name of the bidder and the sum of the Base Bid were:

R.L. McCoy, Inc.	=	\$3,393,094.32
Engineers Estimate	=	\$3,722,838.00

Bill Hartman, Highway Director, stated we received only 1 bid and it was under the engineers estimate and he recommends approval. Commissioner Bloom made a motion to approve Bid Award of Construction Contract to R.L. McCoy, Inc., for BID REFERENCE #10-11, ST JOSEPH CENTER ROAD BRIDGE #108 OVER ST JOSEPH RIVER, WIDENING AND REHABILITATION PROJECT #03-295, ST JOSEPH TOWNSHIP, SECTIONS 18 & 19, ALLEN COUNTY, INDIANA. Commissioner Brown seconded the motion. Motion carried 3-0.

8. **LPA Consulting Contract for Flutter Rd from St Joe Rd to Schwartz Rd, Project # 05-296 for Construction Engineering Services. Cost - \$ 866,802.00.** Bill Hartman, Highway Director, stated this is for construction inspection for A&Z Consulting for the duration of the project. We have looked the contract over as has INDOT and we think it is a fair contract and recommend approval. Commissioner Bloom made a motion to approve the LPA Consulting Contract for Flutter Rd from St Joe Rd to Schwartz Rd, Project # 05-296 for Construction Engineering Services. Commissioner Brown seconded the motion. Motion carried 3-0.

9. Sign Requests

- a. **Van Zile Rd – Hurshtown Rd to SR 1 – Post “No Trucks”**
- b. **Van Zile Rd – Hurshtown Rd to SR 1 – Post “35 mph Speed Limit”**

Bill Hartman, Highway Director, stated they have had reports of additional truck traffic over the old iron truss bridge which would be very detrimental to it so we are recommending this posting to hopefully deter that. Commissioner Bloom made a motion to approve the sign requests on Van Zile Road. Commissioner Brown seconded the motion. Motion carried 3-0.

10. **Professional Services for Bluffton Rd Improvements provided by ForeSight. Project # 1300611 and #1300711. Cost - \$13,100.00.** Bill Hartman, Highway Director, stated that ForeSight has already done quite a lot of surveying in this area and design work so we asked them for a proposal for the improvements necessary for the development in that area. We feel this is an extremely good price. Commissioner Bloom made a motion to accept the Improvements provided by ForeSight. Project # 1300611 and #1300711. Commissioner Brown seconded the motion. Motion carried 3-0.

11. **Update on legislation taking effect July 1st.** Beth Lock, Director of Government Affairs, Commissioners Office, gave this update.

12. **Amendment to Allen County Travel Policy.** Commissioner Peters stated that we still have some issues with this and he thinks it would be wise to defer but there are some things we can do at this point and should do at this point. Chris Cloud, Executive Asst., stated the most immediate change that has been requested that the Commissioners could act on today is a change in the policy from the amount of time

allowed for submission of claims. Currently the policy states it must be 15 days from the date the travel takes place and the Auditor has requested that it is within 30 days. For reasons such as it takes that long to get a credit card bill back or the person isn't able to do it within the 15 days. The additional changes that the Commissioners have looked at for the travel policy can be made a later date. Commissioner Peters stated that he would hope that we could commit to getting that done in the next couple of weeks to get the rest of the changes made but that he thinks it is appropriate to entertain a motion to get extend the time for submission of travel reimbursements from 15 to 30 days effective July 1. Commissioner Bloom made a motion to extend the time for submission of travel reimbursements from 15 to 30 days effective July 1. Commissioner Brown seconded the motion. Motion carried 3-0.

- 13. Appointment to an East Allen County Schools Common Construction Wage Committee.** Chris Cloud, Exec. Asst., stated the name before them is Nick Lamont who has been their appointment for East Allen County Schools the last 3 or 4 times. Commissioner Bloom made a motion to approve the appointment of Nick Lamont. Commissioner Brown seconded the motion. Motion carried 3-0.
- 14. Appointment to a Purdue University Common Construction Wage Committee for IPFW.** Chris Cloud, Exec. Asst., stated the name before them is Cathy Serrano. Commissioner Bloom made a motion to approve the appointment of Cathy Serrano. Commissioner Brown seconded the motion. Motion carried 3-0.
- 15. Approval of letter of engagement with Baden, Gage & Schroeder for rebate calculations for Memorial Coliseum Refunding Revenue Bonds, Series 2007A.** Bill Fishing, County Attorney, stated the County is required to perform a rebate calculation on all bond issues approximately 5 years after they are issued to determine whether any money is due and payable to the federal government for excess interest earnings during the period. This is that calculation. We have used Baden, Gage & Schroeder on a number of prior occasions to perform that calculation for us. This is the letter of engagement asking them to do that for this particular bond. Commissioner Brown made a motion to approve the letter of engagement with Baden, Gage & Schroeder for rebate calculations for Memorial Coliseum Refunding Revenue Bonds, Series 2007A. Commissioner Bloom seconded the motion. Motion carried 3-0.

16. Other Business:

Tony Burrus, Safety and Environmental Director, presented a **Contract for a 2 year agreement with Indiana Fire Sprinkler Company to do inspections for the Highway building, Community Corrections, Criminal Justice, Board of Health and the Keystone Building.** There were 3 bidders and they are the low bidder. It's going to be a significant savings for us. Commissioner Bloom made a motion to accept the agreement with Indiana Fire Sprinkler Company. Commissioner Brown seconded the motion. Motion carried 3-0.

Commissioner Brown stated we have an **Appointment to the Allen County Plan Commission.** We received the resignation of Charles Bodenhafer who for several years has served on both the Allen County Plan Commission and the Board of Zoning Appeals as an Allen County resident and with that resignation we do have one individual that she thinks would be worthy of serving on the Plan Commission. We still need to find someone for the BZA. Commissioner Brown made a recommendation that Renee Fishing be placed on the Allen County Plan Commission as a Commissioner appointment. Commissioner Bloom seconded the motion. Motion carried 3-0.

- 17. Approval to waive the 2nd Reading on any matter approved today and for which it may be deemed necessary for the Legislative Session of July 8, 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 July 8, 2011. Commissioner Brown seconded the motion. Motion carried 3-0.
- 18. Comments from the Public.** Chris Brewer, Huntertown Resident, stated that at the June 24 meeting there was a resolution presented to them by Sara Quinn to support the Town of Huntertown and its residents not to publicly support the location of the proposed water treatment facility in Huntertown at the Woods Road location. He stated he was here to see if that has been looked over by the Commissioners and to see if that was something they would do for them. Commissioner Peters stated that he has had the

opportunity to look at this and, to be candid, he likes it with the exception of “opposes the selection by the Town of Hometown of the Woods Road Town Park site as the location for the waste water treatment facility”. He does believe that the Town should consider as many alternatives as possible and he does believe in #3 that it needs to be done as transparently as possible in an open forum where citizens fully understand what is going on and that they are engaged. Commissioner Peters stated he struggles a bit and said it has been our practice, at least the time he has been on the Commission, to try to the extent that we can to let towns and cities do their own thing. He cited the smoking ban ordinance as an example that was passed in 2006. He said at that time we took great pains to ensure that in areas that were unincorporated, where we had the most influence and control, that we spelled out specifically what our wishes were but when it came back to the City of Fort Wayne, City of New Haven, Town of Hometown and a number of the other 8 cities and towns that exist in Allen County, we really were hands off in ensuring that those locales could make those kinds of decisions on their own. He stated that Commissioners are elected to perform certain functions but those cities, towns and boards are elected in those jurisdictions to serve more specifically in what it is that they are going to carry out for their constituents. Commissioner Peters stated that while he likes paragraph 2 and while he likes paragraph 3 a lot, he personally doesn’t want to get involved in telling someone where to or not to do something. He stated that where the Commissioners do get involved is at a different level and that is once a site is approved, many times drainage issues are part and parcel of whatever happens there, and we do comprise the Drainage Board. If there are certain requirements that aren’t met at that point and level of the discussion, then the Commissioners have a lot of authority to say what can’t be done. Mr. Brewer stated that the largest concern for the citizens is that it is going to be a detriment to their property values. He stated we may not smell it, see it or hear it but regardless you are basically putting an industrialized zone in the middle of a residential area which will be a detriment to the property values.

19. Motion to Adjourn. There being no further business, the meeting was adjourned at 10:46 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.