



## BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEN

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NELSON PETERS LINDA K. BLOOM THERESE BROWN

### MINUTES

**Commissioners' Legislative Session  
10:00 a.m. Friday, October 28, 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
	Al Gull	Highway – North Barn
	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 October 21<sup>st</sup>, 2011.** Commissioner Brown made a motion to approve the minutes. Commissioner Bloom seconded the motion. Motion carried 3-0.
- 2. Agreement for Temporary Construction Easement and Permanent Sewer Utility Easement between the County of Allen and Airport Authority.** Bill Fishing, County Attorney, stated that he is in front of them today as part of the Franklin Electric project. They are in the process of purchasing ground from the Airport Authority and have asked us to grant an easement along a portion of the Airport Expressway so that they can install a force main from their proposed factory to the location where the City of Fort Wayne has a station. This is both a grant of a temporary easement which would be for construction purposes and a permanent easement for them to leave the line. It's adjacent to our existing right of way. It is however over ground that we own. Attorney Fishing stated that he has checked with the Highway Department and Mike Eckert has indicated that this is fine with him so we should be ready to move forward on that. Commissioner Bloom made a motion to approve the Agreement for Temporary Construction Easement and Permanent Sewer Utility Easement between the County of Allen and Airport Authority. Commissioner Brown seconded the motion. Motion carried 3-0.
- 3. LPA Consulting Agreement between the Board of Commissioners and Engineering Resources, Inc for construction observation for the replacement of Dawkins Road Bridge.** Bill Hartman, Highway Director, stated that this is for \$59,534.43 of which our 20% match will be \$11,906.89 for the inspection of the new construction of the bridge on Dawkins Road at West County Line. Commissioner Bloom made a motion to accept the LPA Consulting Agreement between the Board of Commissioners and Engineering Resources, Inc. Commissioner Brown seconded the motion. Motion carried 3-0.
- 4. Quit Claim Deeds – Diebold Rd – Dupont Rd to Norarrow Drive, Project # 1200209**
  - a. Parcel 12 – New Vision Professional Park, LLC**
  - b. Parcel 12 – Parkview Health Systems, Inc.**

Bill Hartman stated that these are for Phase 1 of the Diebold Road project and just cleans up right of way acquisition. Commissioner Bloom made a motion to approve Quit Claim Deeds – Diebold Rd – Dupont Rd to Norarrow Drive, Project # 1200209. Commissioner Brown seconded the motion. Motion carried 3-0.

5. **Warranty Deeds – Gump Rd – SR 3 to Coldwater Rd, Project # 03-296**
  - a. **Parcel 15 – Aldred**
  - b. **Parcel 30 – Collins**
  - c. **Parcel 32 – Wallace**

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

6. **Right of Way Encroachment Agreement between the Board of Commissioners and Keith and Darlene Beaver.** Bill Hartman, Highway Director, stated that this is for a barn on Lutz Road which protrudes in the right of way approximately 32 feet wide and 6 feet into the right of way. We feel we can construct the road safely around it with this agreement. Commissioner Bloom made a motion to approve the Right of Way Encroachment Agreement between the Board of Commissioners and Keith and Darlene Beaver. Commissioner Brown seconded the motion. Motion carried 3-0.
7. **Other Business:** Commissioner Peters brought up the grant that there has been some discussion on for the Allen County Council on Aging. They are in receipt of the award that we as their recipient need to sign for the sub-recipient. Commissioner Peters stated he would entertain a motion to approve that but he also believes there needs to be some additional discussion with that agency regarding a couple tenets of that agreement and hopefully we could get that set up next week and make sure we don't change our minds before November 2<sup>nd</sup>. Commissioner Bloom made a motion to approve, subject to the questions and answers here, the grant for the Council on Aging that goes through the Commissioners. Commissioner Brown seconded the motion. Motion carried 3-0.
8. **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 October 28<sup>th</sup>, 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 October 28<sup>th</sup>, 2011. Commissioner Bloom seconded the motion. Motion carried 3-0.
9. **Comments from the Public.**
10. **Motion to Adjourn.** There being no further business, the meeting was adjourned at 10:10 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.*