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1 STATE OF INDIANA)
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2 COUNTY OF ALLEN)

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BOARD OF COMMISSIONERS
OF THE COUNTY OF ALLEN

RE: LEGISLATIVE SESSION OF
JANUARY 26, 2005

DATE: January 26, 2005

TIME: 11:04 a.m.

LOCATION: Room 200
 Commissioners Courtroom
 City-County Building
 1 East Main Street
 Fort Wayne, Indiana 46802

REPORTER: Kimberlee M. Adams

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1 PRESENT:
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3 Linda K. Bloom Allen County Commissioner
4 Marla J. Irving Allen County Commissioner
5 Nelson Peters Allen County Commissioner

- 5 Susan Elser Allen County Board of
- 6 Commissioners' Office
- 7 Mary Hitchens Allen County Public
- Information Office
- 8
- 9 John McGauley Allen County Public
- Information Office
- 10 G.W. Fishing Allen County Counsel
- 11 Mike Pranger Allen County Highway
- Department
- 12
- 13 J. Hoffman Aboite Independent
- 14
- 15 Ed Steenman IT Director, Allen County
- 16
- 17 Mark Joseph MSKTD
- 18
- 19 Miguel Trevino
- 20
- 21 Michelle Wood Department of Planning
- 22 Services
- 23 Dave Fuller Building Commissioner
- 24 Edward LaRocque
- 25 Denny Colbert D & M Communications
- 0003 Rick Zehr SJ Development
- Kimberlee M. Adams Rolf Reporting, Inc.
- Kevin Leninger News Sentinel
- Ben Lanka Journal Gazette

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6	2. Public Hearing re: Vacation Petition
7	370/05: Petition to vacate a portion
8	of the road right of way for Douglass
9	Road. The 0.51 acres is within the
10	9400 through 9700 blocks of Douglass
11	Road, beginning at a point
12	approximately 440 feet east of the
13	intersection of Douglass Road and
	Wheelock Road, and ending
	approximately 721 feet east. The
	width of the right of way is 32 feet 6
	3. Approval of ACS Service Amendment for
	Internet Development and reject all
	other proposals for RFP 27-04 9
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5. Approval of a Verizon Public
15 Communications Agreement for Payphone
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6. Appointments to the Allen County
17 Emergency Management Advisory Council 26

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8. Appointments to the Allen County
20 Deferred Compensation Committee 28

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9. Approval of Disbandment of the Allen
County Hazardous Waste Board 29

22

10. Approve traffic posting change for:
23 a) Flatrock Road @ Marion Center
Road - Post STOP signs to complete a
24 four way stop intersection 30

25

(Agenda continues)

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(Agenda continued)

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11. Approve Warranty Deeds required for
3 additional right of way on Dupont
Road, from Pine Mills Road to Auburn
4 Road from the following property
owners:

5

- a) Parcel 10 - James and Cristine M. Lenz
- 6 b) Parcel 20 - Ruth M. Brown 31

7

12. Approve Warranty Deed required for
additional right of way on Wesley
8 Chapel Road Curve from the following
property owner:

9

- a) Parcel 1 - Kevin L. Tempel 31

10

13. Plat for Signature: Towne Square,
Section 1 32

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15. Approval to waive the 2nd Reading on

13 any matter approved today and for
which it may be deemed necessary for
14 the Legislative Session of January
26, 2005 32

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1 BLOOM: Good morning, and welcome to the Allen County
2 Commissioners' Legislative Session. First, we're
3 going to say our pledge and then have a moment of
4 silence.

5 (At this time, the Pledge of Allegiance
6 was recited in unison, and a moment of
7 silence was recognized by all.)

8 BLOOM: Thank you. The first thing on our agenda
9 this morning is the Approval of the Minutes of 1/19.

10 IRVING: So moved.

11 PETERS: I'll second it.

12 BLOOM: All in favor, signify it by saying, "Aye."

13 PETERS: Aye.

14 IRVING: Aye.

15 BLOOM: Aye. We're having a public hearing this
16 morning for Vacation 370/05. Good morning.

17 WOOD: Good morning.

18 BLOOM: And this is to vacate a portion of right of
19 way for Douglass Road.

20 IRVING: Good morning, Michelle. How are you?

21 WOOD: Good morning, Commissioner, just fine, thank
22 you. I am Michelle Wood, Senior Land Use Planner for
23 the Land Use Department, Allen County Planning. I
24 am--for this hearing, I will be serving as staff to
25 the Commissioners. This is Vacation Petition 370/05.

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1 The applicant is S & J--or SJ Development
2 Corporation. The request is to vacate a portion of
3 the right of way for Douglass Road within the 9400
4 through 9700 blocks of Douglass Road beginning at a
5 point approximately 440 feet east of the intersection
6 of Douglass Road and Wheelock Road and ending
7 approximately 721 feet east. The width of the right
8 of way is 32 feet. It's within Section 12 of St. Joe
9 township. And the land area is .51 acres.

10 This request is--is to vacate a portion of
11 Douglass Road from east to west. And as I stated in
12 the legal ad, it is between Wheelock Road and Swartz
13 Road. You have two packets. You have one from staff
14 and one from the petitioner. On the second page of
15 your packet from staff is a color aerial with an
16 outline of the subdivision that Douglass Road is
17 within. The Allen County Planning Commission in 2003
18 approved a primary plat for 18--excuse me, 816 lot
19 single-family subdivision called the Communities of
20 Foxwood. And this approved plat included the
21 proposal to reroute--do you have your packets?

22 IRVING: Yes, we do.

23 BLOOM: We do.

24 WOOD: I just want to make sure you got them. Okay,
25 great.

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1 IRVING: We're following along with you.

2 WOOD: Okay. This included the vacation and
3 rerouting of a portion of Douglass Road. The--the
4 proposal to take the central portion of Douglass,
5 vacate that portion and then reroute it through the
6 subdivision streets that have been approved. And
7 this portion that is requested today is within
8 Chapman's Bridge, Section I. That is one of the
9 plats within Foxwood. That was recorded in November
10 2004. Future petitions would be necessary to
11 complete the rerouting as this is only one section
12 and they phase the development. And we do have a
13 repre--representative from SJ Development Corp. here
14 today to present the rerouting plan. I do have
15 approvals from the agencies that were necessary for
16 this petition. And I--we also put notice published
17 in both newspapers and it was also sent via certified

18 mail to the three adjacent property owners.
19 BLOOM: Thank you so much because I didn't open the
20 public hearing, and so I have. And you've answered
21 my questions. Is there anyone here to speak for
22 this? Could you please come forward and state your
23 name?

24 ZEHR: Good morning, I'm Rick Zehr. My address is
25 10808 La Cabreah Lane, 46845. I'm here today
0009

1 representing SJ Development Corp. Thank you,
2 Michelle. You did a comprehensive job--really most
3 of job for me, here today. Let me just clarify some
4 points or--or bring you up to date. What you have
5 before you is a plat of the Communities of Foxwood
6 that have overlaid or--or depicted the first sections
7 of four different subdivisions that are now underway.
8 And you'll see outlined in green Chapman's Bridge
9 which Michelle referenced. The--the yellow which
10 we've--I've--has--has been striked right across the
11 plat is Douglass Road. So you can see the first
12 section of Chapman's in green where the yellow then
13 crosses it. And then what is blue, is the current
14 rerouting of that Douglass Road traffic. So at the
15 point that the blue line intersects with the yellow
16 is Douglass Road and then we've--we've directed it to
17 the north and then it intersects with our stub
18 street--or where we've stubbed the street out. Then
19 as we move to the--to the east, you can see
20 subsequent cul-de-sac streets that again, Douglass
21 Road will intersect in the middle of those
22 cul-de-sacs. We'll continue to reroute that traffic.
23 One of the major concerns and commitments that we
24 made was while this was occurring, to main
25 traf--maintain traffic through Douglass Road, major
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1 concern being emergency services and school bus. And
2 we've done that throughout the project. A little
3 iffy at some points with mud and weather, but that
4 route has been maintained so traffic could pass
5 through. And then as Michelle mentioned, we'll
6 petition in the future as we move forward, probably
7 two more sections at that most. Everything is moving
8 very quickly out here as far as response and builder

9 interest. So I think we'll be moving forward sooner
10 than later than we thought. So any questions that I
11 may answer for you.

12 IRVING: Mr. Zehr, I was fortunate in having a
13 personal tour before the project was brought before
14 Plan Commission to verify some of this vacationing
15 that you're discussing. I would like to ask one
16 question and then I would like to make a comment.
17 The question I'm asking is, was there any type of
18 correspondence with those three property owners that
19 the route that you had chosen would not be
20 conceivable for them to still maneuver in
21 their--their homes?

22 ZEHR: The three homeowners that you're specifically
23 referring to--well, the--

24 IRVING: Aren't there three--there--

25 ZEHR: --well, they're the homeowners to the--there
0011

1 are--there are three homes immediately to the east of
2 the subdivision.

3 IRVING: Right. Did--

4 ZEHR: Three in a row.

5 IRVING: --did you purchase those?

6 ZEHR: We did not, no.

7 IRVING: Okay. Those are the three that I'm talking
8 about. Was there any problem with them on the
9 vacationing of Douglass Road?

10 ZEHR: Not that I'm aware of. Our--

11 IRVING: Okay.

12 ZEHR: --our communication to them, originally and
13 fairly early in the project--

14 IRVING: Right.

15 ZEHR: --and meeting with them, was the fact that
16 that would occur. And they were the ones that raised
17 the issue of the schoolbus--

18 IRVING: Right.

19 ZEHR: --in particular. And so we had committed to
20 them at that time to maintain that traffic.

21 IRVING: Okay. And that was my understanding on that
22 too. And this is the comment that I'm going to--to
23 make, and I know that--that you are--you've been
24 investing a lot of money into Allen County.

25 You--you've been in business for many, many

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1 years--that if we do get some complaints, even though
2 I know it is muddy and we've had a lot of rain, we've
3 had a lot of snow and everything--if we do receive,
4 either the Commissioners' office or Department of
5 Planning Services that there has been some problem
6 with the mobility, I would just ask that you would
7 address that immediately because it is important that
8 we do keep, especially emergency management vehicles
9 of course, but also that the school children can be
10 able to--to be picked up and delivered to school
11 promptly.

12 ZEHR: We--yeah, we'd be glad to--

13 IRVING: Okay.

14 ZEHR: --to address those immediately.

15 IRVING: I take your verbal commitment very strongly
16 because I know that--that you would do that. But
17 Michelle, also make note to that we need to make sure
18 that if there are any complaints that they are
19 addressed immediately to Mr. Zehr.

20 WOOD: We'll do.

21 IRVING: I--I don't have any questions of Mr. Zehr.

22 BLOOM: The only one I've got and I think it's
23 because I don't quite understand this, I see the
24 relocation and I see the vacation one way and I'm not
25 sure if it's toward Wheelock or if it's toward-

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1 what's the other way?

2 WOOD: Swartz.

3 BLOOM: Clear down to Swartz?

4 IRVING: Yeah.

5 BLOOM: I think it's Wheelock because that's the
6 shortest distance, right?

7 ZEHR: Correct.

8 BLOOM: From Douglass--

9 WOOD: Yes.

10 BLOOM: --over to Wheelock. Your area here--because
11 certainly you've gotten into--if--if we're into this
12 vacation, with the highway--that your entrances--and
13 there'll be a lot of them--and how many entrances do
14 you have on Douglass Road?

15 ZEHR: For--I'm sorry, for the--for that traffic from
16 Douglass as we reroute it? Or--or did you mean

17 Wheelock Road?

18 BLOOM: Well, you don't have any on Wheelock, do you?

19 ZEHR: Well, we have--we actually have three--

20 IRVING: Uh-huh (affirmative).

21 ZEHR: --three entrances on Wheelock.

22 BLOOM: Oh, down here.

23 IRVING: Yeah.

24 BLOOM: Okay, south of it, okay.

25 ZEHR: And that's one of the reasons I included the

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1 total plan. It's important to understand, when this

2 is completely done, there will actually be three

3 alternate routes that Douglass Road traffic can

4 follow.

5 IRVING: Uh-huh (affirmative).

6 BLOOM: Okay, so--

7 ZEHR: The most--

8 BLOOM: --you're going have three on Wheelock and how

9 many on Douglass?

10 ZEHR: Just one.

11 BLOOM: Okay.

12 ZEHR: And that is directly to the east.

13 IRVING: Uh-huh (affirmative).

14 ZEHR: So Douglass will continue and then "T" into an

15 intersection within the subdivision--

16 BLOOM: Gotcha.

17 ZEHR: --that can turn left or right.

18 BLOOM: Gotcha.

19 ZEHR: The most direct route would be to turn right

20 and then immediately left, and that would bring them

21 straight on the road then.

22 BLOOM: And then what about the area to the west, to

23 the corner of Douglass and Wheelock? Where does

24 your--it looks like your development stops--I don't

25 know how much mileage that is from there to there--

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1 IRVING: It's not--

2 BLOOM: --or how many feet. Not much. Are you

3 continuing the infrastructure clear to the corner of

4 Wheelock and Douglass?

5 ZEHR: Of--let me ask you that, I guess, a different

6 way.

7 BLOOM: Okay.

8 ZEHR: The--if you'll--if you'll note Block B on the
9 drawing which is--

10 BLOOM: Yeah, I see it.

11 ZEHR: Okay, Block B is the western edge of this
12 vacation. And then there are two property owners,
13 one that's accepted out there as--the square--

14 BLOOM: Okay.

15 ZEHR: --and then one on the other side of the road.
16 So Douglass Road will, in effect, stop then at that
17 Block B. And it will serve those two neighbors, but
18 that's the extent of--of those people that are living
19 there.

20 BLOOM: No kidding.

21 IRVING: But she's asking who is going to maintain
22 Douglass Road there for that--those two--

23 BLOOM: Down to the corner. So yours--that isn't--

24 IRVING: You will.

25 BLOOM: Down to Wheelock? The intersection there?

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1 IRVING: Uh-huh (affirmative). Just that little bit
2 would still be County highway. That--they're not
3 asking for a vacation on that. This part right here,
4 you would still be maintaining--or we would still be
5 maintaining.

6 BLOOM: And how many homes are in that block past B?

7 IRVING: Two.

8 BLOOM: Just two?

9 IRVING: There's only two right there.

10 BLOOM: Well, I can't see it. I don't see any homes
11 in there.

12 IRVING: Well, there's not there. But you need to
13 look at the--this drawing. See, you can see them
14 right there.

15 ZEHR: There's this guy right on the corner.

16 WOOD: Okay. Commissioner Bloom, if you want to look
17 at the aerial--

18 BLOOM: Okay.

19 WOOD: --it might be a little more clear to see.

20 ZEHR: There is--

21 BLOOM: I have really good eyes. That's rough.

22 ZEHR: --there is only one property owner actually--

23 BLOOM: In there?

24 ZEHR: --currently on Douglass and this--on that--on

25 the south side of the road.

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1 BLOOM: Oh okay.

2 ZEHR: On the north side, you'll note some buildings,
3 but those have been removed.

4 IRVING: Oh, they have?

5 BLOOM: Oh, okay.

6 WOOD: So this remains and this remains? Or just
7 this? This is Evert, this is Daggar (phonetic).

8 ZEHR: This house. The--the house directly to the
9 north, you'll see has an entrance on Wheelock. And
10 then--

11 IRVING: Uh-huh (affirmative).

12 BLOOM: That's been removed?

13 ZEHR: No, to the--to the east, it looks like several
14 buildings there.

15 BLOOM: Yeah, what's that?

16 ZEHR: Those have been removed.

17 BLOOM: Okay.

18 ZEHR: There is one pole barn structure that remains.
19 That's Mr. Evert's structure.

20 BLOOM: Okay.

21 ZEHR: But as far as residents, there's only one
22 person on Douglass.

23 BLOOM: Okay, and they will be accommodated?

24 ZEHR: Correct.

25 BLOOM: Okay. Do you have any questions?

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1 PETERS: No.

2 BLOOM: Thank you.

3 ZEHR: Thank you.

4 BLOOM: Do we have anyone else to speak for this
5 vacation? Anyone else to speak for the vacation? Is
6 there anyone here to speak against the vacation?

7 Anyone here to speak against the vacation?

8 IRVING: I'd like to make--

9 BLOOM: Then I'll take a motion.

10 IRVING: --I'm sorry. I'll take--I'll make a motion
11 that we close the public hearing.

12 PETERS: I'll second it.

13 BLOOM: All in favor, signify it by saying, "Aye."

14 PETERS: Aye.

15 IRVING: Aye.

16 BLOOM: Aye.
17 IRVING: I'd like to make a motion that we pass
18 Vacation Petition 370/05 to the vacation of .51 acres
19 of Douglass Road.
20 PETERS: I'll second that.
21 BLOOM: All in favor, signify it by saying, "Aye."
22 PETERS: Aye.
23 IRVING: Aye.
24 BLOOM: Aye.
25 WOOD: Thank you.

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1 BLOOM: Thank you very much.
2 IRVING: Thank you.
3 BLOOM: Do you have anything else, Michelle?
4 WOOD: A plat at the end.
5 BLOOM: Thank you very much.
6 IRVING: Thank you.
7 WOOD: Thanks.
8 BLOOM: Thank you, Mr. Zehr.
9 BLOOM: Approval of ACS Service Amendment for
10 Internet Development and reject all other proposals
11 for the RFP 27-04.
12 IRVING: Good morning, Ed.
13 STEENMAN: Good morning.
14 BLOOM: Good morning, Ed.
15 STEENMAN: I'm Ed Steenman, County IT Director. We
16 are currently under contract with an outside company
17 to host and maintain our internet--the Allen County
18 internet site. That contract expires at the end of
19 February. We published an RFP to solicit proposals
20 to continue hosting and developing our website and
21 only received two responses. And in considering
22 those responses, we also took a look at the ability
23 to host our internet site internally and have found
24 that to be the most economical and flexible way to
25 enhance the County's current website. So I bring to

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1 you two documents today. One to reject the two
2 proposals that we did receive in response to that
3 RFP. And then the second is to put in place a--an
4 enhancement request--or enhancement agreement with
5 ACS who are adding a resource as the web developer
6 for the County website. And they will have that

7 person to develop--not only develop, but also migrate
8 the site from our existing post to the internal web
9 server and then to develop additional applications
10 that will improve the site over the--over the coming
11 months.

12 IRVING: Commissioner Bloom and Commissioner Peters,
13 this has been an ongoing six-month project that we've
14 been looking at. The current website provider,
15 basically, we had outgrown. And we felt that by the
16 bids we did receive that maybe they are even thinking
17 about maybe getting out of this type of--of hosting.
18 We felt, after looking at the bids and exploring the
19 possibility of bringing it inhouse and have the
20 flexibility to accomplish some of the--the future
21 endeavors that we all want to do on the web, that it
22 was more economically and the feasibility of having
23 the flexibility of developing the software inhouse
24 was great. And it was going to end up to be pretty
25 much the same price, a little bit of a savings. But
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1 when you think of the flexibility of it, it's a--it's
2 a huge savings with the hourly cost that we have to
3 be able to provide in having development of software.

4 STEENMAN: That's right.

5 IRVING: So with that, I'd like to make a motion. My
6 first motion is that we reject all proposals for
7 RFP 27-04.

8 PETERS: I'll second that, but I've also got a
9 question. It's my understanding that there
10 were--there were two other proposals, correct?

11 STEENMAN: There were--there were two proposals
12 received, yes. Uh-huh (affirmative).

13 PETERS: Okay. And they were not--they were not as
14 competitive as--as being able to--as us being able to
15 do it internally?

16 STEENMAN: Correct. They--

17 PETERS: Okay.

18 STEENMAN: One was very much not--non-competitive.

19 PETERS: Okay.

20 STEENMAN: The second one is the one that
21 Commissioner Irving referred to that is--is very
22 close, but doesn't provide the flexibility--

23 PETERS: Doesn't allow for the flexibility.

24 STEENMAN: --that--

25 PETERS: Okay.

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1 STEENMAN: --that we have going forward.

2 PETERS: All right. Okay. I understand.

3 BLOOM: All in favor, signify it by saying, "Aye."

4 PETERS: Aye.

5 IRVING: Aye.

6 BLOOM: Aye.

7 IRVING: Then I'll make a motion that we approve the

8 ACS Service Amendment for Internet Development.

9 PETERS: I second that.

10 BLOOM: All in favor, signify it by saying, "Aye."

11 PETERS: Aye.

12 IRVING: Aye.

13 BLOOM: Aye.

14 IRVING: Thank you, Ed.

15 STEENMAN: Thank you very much.

16 IRVING: And we will be converted no later than--

17 STEENMAN: The end of February.

18 IRVING: --the last day of February.

19 STEENMAN: That's right.

20 IRVING: Thank you.

21 BLOOM: Thank you. Amendment to the Allen County

22 Mileage Reimbursement Policy.

23 ELSER: The Commissioners in Allen County Council on

24 January 20th approved amount of 40.5 cents per mile

25 and effective retroactive to that date. That is

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1 before you for approval also.

2 PETERS: I'll make a motion that we move the mileage

3 rate to 40 and a half [40.5] cents per mile.

4 IRVING: Seconded.

5 BLOOM: All in favor, signify it by saying, "Aye."

6 PETERS: Aye.

7 IRVING: Aye.

8 BLOOM: Aye. Approval of a Verizon Public

9 Communications Agreement for Payphone Service at the

10 Allen County Jail. Good morning, Denny.

11 COLBERT: Good morning. I'm Denny Colbert with D&M

12 Communications, your telephone consultant. And Linda

13 contacted us earlier this week about the Verizon

14 contract for the one payphone at the old jail. Since

15 then, I've contacted the Sheriff and the jail
16 commander, and at this time, we would like to refrain
17 from signing this particular contract with Verizon
18 until we look further into the rest of the payphones
19 that the County has and--

20 BLOOM: Okay.

21 COLBERT: --consider their contracts.

22 IRVING: That's why we have you under contract so
23 that you can help us with some of these telephone
24 matters.

25 COLBERT: Thank you.

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1 BLOOM: Because we have payphones in how many other
2 buildings besides this one and Keystone?

3 COLBERT: Yeah, they're in Keystone, they're in the
4 Annex--

5 BLOOM: Courthouse?

6 COLBERT: --the new Justice Center, the Courthouse.

7 BLOOM: Okay.

8 PETERS: Denny, when will we hear the results of your
9 survey?

10 COLBERT: Probably by next week. I have to contact
11 the payphone company, CJ Payphones--

12 BLOOM: Right.

13 COLBERT: --that has the contract for the rest of the
14 buildings.

15 BLOOM: What--the payphone service, this was just to
16 include the Justice Center?

17 COLBERT: We only have one remaining Verizon payphone
18 and that's the one in the lobby of the old jail.

19 BLOOM: Okay.

20 COLBERT: All the rest of the payphones with the
21 County are now with CJ Payphones.

22 BLOOM: Right. So you're thinking we shouldn't
23 approve this, that maybe they should go one way.

24 Okay, I get it.

25 COLBERT: Yeah.

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1 BLOOM: All right.

2 COLBERT: It's probably better for us to have one
3 point of contact.

4 BLOOM: Oh, absolutely. Make it easy.

5 PETERS: So we don't need to take any action on this,

6 correct?

7 BLOOM: I think we should maybe just defer it?

8 IRVING: I make a motion--

9 BLOOM: --until they--

10 PETERS: Okay.

11 BLOOM: --come forward with--

12 IRVING: Okay. I make a motion that we defer--if--if

13 I defer for 30 days, he could bring it back anytime

14 before that, is that correct?

15 FISHERING: Yes.

16 IRVING: Okay. I make a motion that we defer for 30

17 days.

18 PETERS: Yeah. And I'll second that.

19 BLOOM: All in favor, signify it by saying, "Aye."

20 IRVING: Aye.

21 PETERS: Aye.

22 BLOOM: Aye.

23 IRVING: Thank you very much.

24 COLBERT: Thank you.

25 BLOOM: Thank you. Appointments to the Allen County

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1 Emergency Management Advisory Council. I believe we

2 have a substantial list. Could you please read

3 those, Susan?

4 ELSER: And I would add Commissioner Bloom that these

5 appointments are effective immediately and go to

6 December 31st of this year.

7 BLOOM: All right.

8 ELSER: Mayor Graham Richard representing the City of

9 Fort Wayne; Mayor Terry McDonald, Town of New Haven;

10 Chief Kris Rice, Town of Woodburn; Don Gerardot, Town

11 of Monroeville; Paul Steffens, Town of

12 Leo-Cedarville; Glenda Whittern, Town of Grabill;

13 Darren Vogt, Allen County Council; 1st LT Kerry Hall ,

14 the Civil Air Patrol; Tony Burrus, Allen County

15 Safety & Environmental Affairs; John Kowalczyk

16 representing the Legal Profession; John Bennet, New

17 Haven/Adams Township Fire Department; Jean Vrabel ,

18 American Red Cross; Dr. Deborah McMahon, Allen County

19 Board of Health; Pete Kelly, Fort Wayne Fire

20 Department; Sheriff James Herman, Allen County

21 Sheriff's Department; Dean Jenkins , Department of

22 Natural Resources; Ralph Taylor, Allen County

23 Coroner's Office. I believe that the--Chief Pete
24 Kelly's appointment is--we're still waiting on that
25 from the Mayor. So I don't believe that one will be
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1 approved today.

2 IRVING: I'm sorry?

3 ELSER: Pete Kelly's has not gotten notes back from
4 the Mayor yet, so that one will not be today.

5 PETERS: How about the other two City appointments?

6 ELSER: The Mayor is appointed as a representative of
7 the City. If he has a proxy, that can change. And
8 we're also waiting for the Police Department
9 recommendation.

10 IRVING: The only thing that I would like to add in
11 that letter is that when we send the one to the
12 Department of Natural Resources that Mr. Jenkins has
13 a title and that that be ad--so addressed. Maybe Mr.
14 LaRocque can help us with his title. Okay. I make a
15 motion that we approve.

16 PETERS: I'll second that.

17 BLOOM: All in favor, signify it by saying, "Aye."

18 PETERS: Aye.

19 IRVING: Aye.

20 BLOOM: Aye. Appointment to the Allen County Library
21 Board.

22 IRVING: It's been brought before the Commissioners
23 the name of Bob Armstrong, I think.

24 ELSER: I believe we were going to defer that--is
25 what I understood.

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1 BLOOM: That was--

2 PETERS: I don't--I don't think we need to. I think
3 there was some confusion as to that. And I had--I
4 had told Susan initially that we might want to think
5 about it further but--

6 BLOOM: And I also did.

7 PETERS: --you're--you're correct.

8 BLOOM: Yeah.

9 PETERS: That name has been brought--

10 IRVING: Oh, I'm sorry.

11 PETERS: --no, that name has been brought and--and I
12 would--I would so move the--the appointment of Bob
13 Armstrong to the Library Board.

14 IRVING: And I'll second.
15 BLOOM: All in favor, signify it by saying, "Aye."
16 PETERS: Aye.
17 IRVING: Aye.
18 BLOOM: Aye. Appointments to the Allen County
19 Deferred Comp Committee.
20 ELSER: The two names you have before you are Nelson
21 Peters and Brian Dumford.
22 IRVING: I make a motion that we approve.
23 PETERS: I'll second it.
24 BLOOM: All in favor, signify it by saying, "Aye."
25 PETERS: Aye.

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1 IRVING: Aye.
2 BLOOM: Aye. Approval of Disbandment of the Allen
3 County Hazardous Waste Board. Amendment to Title 12
4 Article 9. Good morning, Bill.
5 FISHERING: Commissioners, my name is Bill Fishinging.
6 I'm the County attorney. When the hazardous tax fund
7 was established, the Commissioners at the time
8 established a Board to assist them in making
9 decisions on how to spend the money. With the
10 closing of the landfill, the Hazardous Waste Tax
11 Landfill, as well as with the much more significant
12 involvement of Emergency Preparedness in this, it's
13 our recommendation that we do away with the old
14 Hazardous Tax Fund Board and that you look to the
15 Emergency Preparedness Board for those sorts of
16 recommendations in the future.
17 PETERS: Yeah, I--I think it makes a lot of sense
18 just in terms of cutting the level of the bureaucracy
19 out and cleaning up the books--
20 FISHERING: Yeah.
21 PETERS: --so to speak. So I would--I would move
22 that we disband the--that I'm looking for here--
23 FISHERING: Hazardous Waste Tax Fund Advisory.
24 PETERS: --Hazardous Waste Fund--Tax Fund Committee.
25 IRVING: I will second the motion to the disbandment

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1 of Amendment to Title 12 Article 9.
2 BLOOM: All in favor, signify it by saying, "Aye."
3 PETERS: Aye.
4 IRVING: Aye.

5 BLOOM: Aye. Susan is there an ordinance number on
6 this.

7 ELSER: Yes, the ordinance number would be 1-26-05-4.

8 BLOOM: Thank you. Approve traffic posting change
9 for Flatrock Road at Marion Center Road, post Stop
10 signs to complete a four way stop intersection. Good
11 morning.

12 PRANGER: Good morning, Commissioners.

13 IRVING: Good morning.

14 BLOOM: Good morning.

15 PRANGER: Mike Pranger, Allen County Highway
16 Department, representing Mr. Fitch. This is a
17 posting for--to post Flatrock Road at the--at Marion
18 Center Road, the purpose to complete a four way stop
19 at this intersection. This is requested by the
20 property owners at that--in that area--

21 BLOOM: Uh-huh (affirmative).

22 PRANGER: --and also Mr. Fitch.

23 PETERS: And it is your recommendation to do so?

24 PRANGER: That is correct.

25 BLOOM: Do you want to make a motion?

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1 PETERS: Yeah, I'm finding it again here. I would so
2 move for the traffic posting change of Flat--Flatrock
3 Road and Marion Center Road, post a stop sign to
4 complete the four way stop at the intersection.

5 IRVING: I'll second that.

6 BLOOM: All in favor, signify it by saying, "Aye."

7 PETERS: Aye.

8 IRVING: Aye.

9 BLOOM: Aye. Approve Warranty Deeds for additional
10 right of way on Dupont from Pine Mills Road to Auburn
11 Road for Parcel 10 and Parcel 20.

12 IRVING: I make a motion that we approve.

13 PETERS: I'll second that.

14 BLOOM: All in favor, signify it by saying, "Aye."

15 PETERS: Aye.

16 IRVING: Aye.

17 BLOOM: Aye. Approve a Warranty Deed required for
18 additional right of way on Wesley Chapel Road Curve
19 from Parcel 1.

20 IRVING: So moved.

21 PETERS: I second that.

22 BLOOM: All in favor, signify it by saying, "Aye."

23 PETERS: Aye.

24 IRVING: Aye.

25 BLOOM: Aye. We have a plat. Anything else, Mike?

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1 PRANGER: No, sir--no, ma'am. Thank you.

2 BLOOM: You're welcome. Plat for signature, Towne

3 Square, Section 1, we'll sign after the meeting. Is

4 there any other business this morning.

5 ELSER: I have no other business.

6 BLOOM: Could I have the approval, please?

7 IRVING: I make a motion that we approve to waive the

8 second reading of any matters approved today in which

9 it may deem necessary.

10 PETERS: I'll second that.

11 BLOOM: All in favor, signify it by saying, "Aye."

12 PETERS: Aye.

13 IRVING: Aye.

14 BLOOM: Aye. Are there any comments from the public

15 this morning?

16 FULLER: Commissioner Bloom, Dave Fuller with the

17 Building Department. Just a reminder--

18 BLOOM: Good morning.

19 FULLER: Good morning.

20 IRVING: Good morning. How are you, Dave?

21 FULLER: Fine, thanks. Dave Fuller with the Allen

22 County Building Department. Just a reminder that

23 next Wednesday at this meeting, we have a public

24 hearing to consider adopting the international

25 property maintenance code for Allen County.

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1 BLOOM: Thank you.

2 FULLER: Okay.

3 BLOOM: Thank you very much. Any other comments this

4 morning?

5 IRVING: I make a motion that we adjourn.

6 PETERS: I'll second that.

7 BLOOM: All in favor, signify it by saying, "Aye."

8 Meeting adjourned. Thank you for coming.

9 (Adjourned at 11:33 a.m.)

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1 1 STATE OF INDIANA)
) SS:

2 2 COUNTY OF ALLEN)

3 3

4 4 REPORTER'S CERTIFICATE

5 5 I, Kimberlee M. Adams, a Notary Public in and
6 6 for the State of Indiana, County of Allen, do hereby
7 7 certify that the above and foregoing is a true and
8 8 accurate transcript of the Board of Commissioners of
9 9 the County of Allen, Legislative Session, held before
10 10 me on January 26, 2005 in the Allen County
11 11 Commissioner's Courtroom, Room 200, City-County
12 12 Building, 1 East Main Street, Fort Wayne, Allen
13 13 County, Indiana; that I am not related to, employed
14 14 by or interested in any of the parties to this cause
15 15 of action.

16 16 IN WITNESS WHEREOF, I have hereto affixed my
17 17 hand and seal this 2nd day of February, 2005.

18 18

19 19

Kimberlee M. Adams, Notary Public
Residing in Allen County, Indiana

20 20

21 21

My Commission Expires:

22 22 December 2, 2011

23

24

25