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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
February 2, 2005

DATE: February 2, 2005

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TIME: 10:10 a.m.

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

21
22

REPORTER: Kimberlee M. Adams

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1 PRESENT:
2 Linda K. Bloom Allen County Commissioner
3 Marla J. Irving Allen County Commissioner
4 Nelson Peters Allen County Commissioner
5 Susan Elser Allen County Board of
 Commissioners' Office

6

7 Mary Hitchens Allen County Public
Information Office

8 John McGauley Allen County Public
Information Office

9

10 G.W. Fishering Allen County Counsel

11 J. Hoffman Aboite Independent

12 Dave Fuller Building Commissioner

13 Edward LaRocque

14 Keith Griffith Vincent House

15 Floyd Lancis

16 James Herman Sheriff, Allen County

17 Bill Smallwood Chief Deputy, Allen County
Sheriff's Department

18 Mark Royse

19 Miguel Trevino DLZ

20 Roger Clark

21 Carrie Gutman Counsel, Allen County
Building Department

22 Matt Momper

23
24 (Continued)

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1 ALSO PRESENT:

2 Michael Fitch Director, Allen County
Highway Department

3 Tony Burrus Allen County Safety
and Environmental

4 Bruce Little Purchasing Director,
Allen County

6 Kimberlee M. Adams Rolf Reporting, Inc.

7

Kevin Leninger News Sentinel

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Ben Lanka Journal Gazette

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Tony Burrus 39

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Bruce Little 40

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Mike Fitch 43

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4 Legislative Session 10

5 2. Addition to the Allen County Code:
Title 12 (Finance) / Article 116

6 (Heart to Heart/Military Contribution
Fund) 10

7

3. Public Hearing re: Adoption of the

8 International Property Maintenance
Code 12

9

4. Renewal of agreement between Allen

10 County (Sheriff's Department) and the
Town of Leo- Cedarville for Patrol
11 Services. This Agreement includes a
request to increase the amount of
12 time that the Sheriff's Department
patrols the town. Total amount for
13 one year - \$24,400.00 38

14 5. Inter-Agency Agreement between the
Allen County Solid Waste Management

15 Board and Allen County 39

16 6. Addenda to the WSCA contract for
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3	10. Approve 2004 Mileage Certification Report for Allen County - 1,440.75 miles	43
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5	11. Approve and accept the following new streets for maintenance by Allen County - Total 4.01 miles	46
6	a) Devils Hollow Section "L":	
7	1) Longview Cove from the centerline of West County Line Road to the east curb of the cul-de-sac 621'.	
8		
9	b) Hawks Nest Ridge Sections I, II, III & IV:	
10	1) Hawks Wood Trace from the centerline of Minnich Road to the centerline of Soaring Hawk Trail -- 679'.	
11		
12		
13	2) Soaring Hawk Trail from the south curb eyebrow Section III to the north plat line Section IV -- 2,208'.	
14		
15	3) Swallow Tail Run from the centerline of Soaring Hawk Trail to the west plat line (west line lot #11) -- 665'.	
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- 4) Coopers Hawk Cove from the centerline of Swallow Tail Run to the north plat line -- 395'.
- 5) Coopers Hawk Cove from the south plat line to the north curb eyebrow -- 253'.
- 6) Spotted Hawk Cove from the west curb eyebrow to the east curb of the cul-de-sac -- 415'.
- 7) Red Tail Run from the west curb eyebrow to the east curb of the cul-de-sac -- 670'.

(Agenda continues)

(Agenda continued)

- 8) Red Tail Court from the centerline of Red Tail Run to the north curb of the cul-de-sac -- 262'.
- 9) Raptor Cove from the centerline of Soaring Hawk Trail to the east curb of the cul-de-sac -- 158'.
- 10) Hawkstream Trail from the west curb eyebrow to the centerline of Soaring Hawk Trail -- 473'.
- 11) Hawkstream Cove from the north curb eyebrow to the south curb of the cul-de-sac -- 269'.
- c) Cedar Creek Sections I & II:
 - 1) Amstutz Knolls from the centerline of Amstutz Road to the centerline of Consta Verde Lane -- 1,138'.
 - 2) Juniper Lane from the east curb of the cul-de-sac to the north plat line of Section II -- 1,090'.
 - 3) Buttonwood Pass from the centerline of Juniper Lane to the centerline of Consta Verde Lane -- 911'.

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- 4) Consta Verde Lane from the north curb eyebrow to the south curb of the cul-de-sac -- 1,098'.
- 5) Consta Verde Commons from the west plat line to the east curb eyebrow -- 385'.
- d) Lakes of Brooks Crossing Sections I & II:
 - 1) Coral Springs Drive from the centerline of Carroll Road to the centerline of Coral Isle Cove -- 851'.

(Agenda continues)

(Agenda continued)

- 2) Fox Valley Run from the centerline of Coral Isle Cove to the south plat line (south lot line lot #27) -- 816'.
- 3) Island Brooks Lane from the centerline of Fox Valley Run to the east plat line (east lot line lot #23) -- 455'.
- 4) Pointed Reef Way from the centerline of Fox Valley Run to the east curb of the cul-de-sac -- 383'.
- 5) Bluff Pointe Way from the centerline of Fox Valley Run to the north curb of the cul-de-sac -- 788'.
- 6) Coral Isle Cove from the centerline of Coral Springs Drive to the east curb of the cul-de- sac -- 668'.
- e) Sycamore Lakes Section I:
 - 1) Seegar Boulevard from the centerline of Scott Road to the centerline of Abbingon Trail -- 551'.

16 2) Clairborne Drive from the centerline
of Seegar Boulevard to the
centerline of Banbury Court -- 580'.

17
18 3) Banbury Court/Snyder Trail from the
west curb of the cul-de-sac to the
east plat line (east line
19 lot #20) -- 894'.

20 4) Almdale Drive from the centerline
of Seegar Boulevard to the north
21 plat line (north line
lot #7) -- 545'.

22
23 5) Abbington Trail from the centerline
of Seegar Boulevard to the east
plat line (east line
24 lot #17) -- 607'.

25 (Agenda continues)

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1 (Agenda continued)

2 6) Henlock Drive/Henlock Court from the
south curb of the cul-de-sac to the
3 north plat line (north line
lot #17) -- 700'.

4
f) Walnut Springs Section II:

5 1) Shallowbrook Drive from the north
plat line (north line of
6 lot #33) to the southeast curb
eyebrow -- 800'.

7
8 2) Butterbough Lane from the south curb
eyebrow to the northwest plat line
(northwest line lot #53) -- 767'.

9
10 12. Approve preliminary engineering study
agreement between Beam, Longest and
11 Neff, Inc. and Allen County for
improvements to Gump Road, from Lima
Road (State Road 3) to Coldwater
12 Road -- \$27,100.00 (Joint participation
between Allen County and Hometown;
13 Allen County share 75% = \$20,325.00;

Huntertown share 25% = \$6,775.00.) 48

14

13. Approve additional Warranty Deeds

15 required for right of way

acquisitions on the Dupont Road,

16 from Pine Mills Road to Auburn Road

from the following property owners 49

17 a) Parcel 13 - Jennita A. Collins

b) Parcel 17 - Karl R. and

18 Sonia E. Schwantes

c) Parcel 18 - Thomas N. and

19 Brenda S. Pedde

d) Parcel 28 - Sungshik and Mijung An

20

14. Other Business 50

21

15. Approval to waive the 2nd Reading on

22 any matter approved today and for

which it may be deemed necessary for

23 the Legislative Session of February

2, 2005 51

24

16. Comments from the Public 51

25

0010

1 BLOOM: Good morning, and welcome to the Allen County

2 Commissioners' Legislative Session. We will say a

3 pledge for our country and a silent prayer, please.

4 (At this time, the Pledge of Allegiance

5 was recited in unison, and a moment of

6 silence was recognized by all.)

7 BLOOM: Thank you. Approval of the Minutes of

8 January 26th.

9 PETERS: I'll make a motion that we approve the

10 Minutes of January 26th.

11 IRVING: Seconded.

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

13 PETERS: Aye.

14 IRVING: Aye.

15 BLOOM: Aye. Addition to the Allen County Code,

16 Title 12, Article 116, the Heart to Heart Military

17 Contribution Fund. We established--what?

18 IRVING: Do you want to read the Fund or--

19 BLOOM: We established a fund whereas the Board of
20 Commissioners have determined it would be
21 advantageous to establish a fund to collect voluntary
22 contributions to provide goods and/or services to
23 military personnel serving overseas. And whereas the
24 initial project to be undertaken by said fund would
25 be the provision of telephone calling cards to

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1 servicemen serving in Iraq to allow them to make
2 phone calls at Valentine's Day and whereas for the
3 purpose of the initial project, the Commissioners
4 have been able to partner with Sam's Club for the
5 provision of said cards. And Sam's Club has agreed
6 to not only provide said cards, but to additionally
7 collect funds directly for said purchase. And this
8 will be a new Article added to Title 12 named the
9 Military Contribution Fund.

10 IRVING: Commissioner Bloom, as I think our community
11 is aware of, last Friday we had our kick at campaign
12 for our Heart to Heart Fund. We partner with Sam's
13 Club and the Indiana Air Guard and the community. So
14 far as--there were lines at Sam's. We've had--

15 BLOOM: Yes, there were.

16 IRVING: --a lot of people coming to the City-County
17 Building to make their donations. And we have now
18 had four different businesses that have contacted us
19 that would like to also partner with us on this. And
20 all of us are aware of that a pillar of the community
21 passed away this weekend, and also is giving all of
22 their memorials--Mr. Kovas' family made this
23 determination--and so we would like to develop this
24 fund. We may be adding to it as time goes on. And I
25 think you'll be--the community should be watching for

0012

1 maybe a further expansion of this program. So I'd
2 like to make a motion that we accept Title 12,
3 Article 116, the Heart to Heart Military Contribution
4 Fund.

5 PETERS: I think it was a great idea and is the least
6 that we can do for our service men and women serving
7 in Iraq. And with that, I would second that motion.

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

9 PETERS: Aye.

10 IRVING: Aye.
11 BLOOM: Aye. Pardon me.
12 IRVING: Do you want a glass of water?
13 BLOOM: No. I'm--thanks. We have a public hearing
14 this morning, the adoption of the International
15 Property Maintenance Code. I'm going to open the
16 public hearing by saying welcome. And David Fuller,
17 the Building Commissioner, and Carrie Gutman, the
18 counsel for the Building Department, will act as
19 staff for this morning's public hearing. According
20 to Indiana Law, today's public hearing may only
21 include those matters that have been advertised.
22 Dave, has proper notice been published?
23 FULLER: Yes, it has.
24 BLOOM: In both papers?
25 FULLER: That's correct.

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1 BLOOM: Thank you. The public hearing is for the
2 purpose of taking testimony. The Board will discuss
3 the merits of this proposal following the public
4 hearing. And vote on this scheduled for March the
5 2nd. We don--we do hold the authority to continue
6 our decision until a later meeting if we believe that
7 to be in the best interest of the public. First,
8 this morning we'd like staff recommendations.
9 FULLER: I'm Dave Fuller with the Allen County
10 Building Department. And this is Carrie Gutman, the
11 Building Department's attorney.
12 BLOOM: Good morning.
13 GUTMAN: Good morning.
14 FULLER: We are recommending the passage of this new
15 ordinance. This is in addition to our existing code
16 at the Building Department. We currently have in our
17 code jurisdiction over issues of unsafe buildings
18 that are structural impaired for both commercial and
19 residential. And we also have minimum housing
20 standards that allows us jurisdiction over those life
21 safety issues for residential standards related to
22 heat, water, and so on. There are various
23 departments around the county that have some
24 jurisdiction on a number of other issues that overlap
25 with this proposed code, things like rodents, junk or

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1 abandoned cars. We--issues--those may be the Board
2 of Health, they may be Planning Department, they may
3 be Township Trustees, but there is no single source
4 that a property owner in Allen County can go to.
5 He's--that person need--if they have a complaint
6 about an issue, starts making phone calls and
7 hopefully hits on the right department that deals
8 with that. The advantage this will give us will be a
9 jurisdiction through our department that allows one
10 phone call to our department and we'll coordinate
11 with the other departments that already have
12 jurisdiction. Where there's a difficulty on their
13 part of enforcing it or they do not have the
14 authority to enforce those issues and they're
15 determined to be legitimate, then our department will
16 then follow up and--and re--help resolve those
17 issues. We have--we've gone through the
18 International Code. It was developed by the
19 International Code Council as one of their model
20 codes. The state of Indiana has adopted the
21 International Code Council for--Codes for building,
22 and mechanical, and a number of other areas related
23 to the construction industry. The State elected not
24 to adopt the International Property Code as a state
25 code because they feel that's a local jurisdiction

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1 issue rather than a State issue. And so they've left
2 that up to local jurisdictions to adopt. We have, as
3 I said, made some changes to make it compatible with
4 our already current standards as far as appeals
5 process and keeping--keeping all of those protections
6 for property owners in place as--as we go through
7 this process. We've also added some exemptions to
8 the standard model code for agricultural property and
9 some of the other issues that either our Board of
10 Directors had a concern with or we as a staff had a
11 concern with.

12 BLOOM: Thank you. Anything else?

13 FULLER: I don't think so at this point. Have any
14 questions?

15 IRVING: I'm--I--I have a question. Every time you
16 present this, I learn a little bit more. The first
17 time I heard that--and maybe I--I just don't

18 remember--that the State had looked at this, but they
19 did not adapt it, that they thought that each county
20 ought to look at it. How many counties in Indiana,
21 to date, have adapted this code?

22 FULLER: I'm aware of at least a dozen. I haven't
23 done a thorough search because in some rural
24 counties, for instance, it's an individual town that
25 would adapt that. For instance, Fort Wayne by itself

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1 has neighborhood code and has written their own.

2 They have not adopted--

3 IRVING: Right.

4 FULLER: --the International Property Maintenance,
5 but they have a comparable code. And there's a lot
6 of that throughout jurisdictions.

7 IRVING: Could you submit to the Commissioners a copy
8 of every county in the state of Indiana that has
9 adopted this International Property Code?

10 FULLER: This specific one or--

11 IRVING: Yes.

12 FULLER: Okay.

13 IRVING: Yes.

14 FULLER: Sure.

15 IRVING: I'd be interested in talking to some of the
16 other county commissioners that have adopted it. And
17 I--I apologize, you may have said that before, but I
18 don't remember it. Thank you.

19 PETERS: Mr. Fuller, two questions real quick. One,
20 would passing this ordinance necessitate additional
21 employees?

22 FULLER: Not in our opinion. Right now, we're
23 already fielding a lot of these complaints, even ones
24 we don't have jurisdiction on because a lot of the
25 work we do with this involves getting together with

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1 the property owner who's having the complaint filed
2 against him and just letting him know the issues and
3 dealing with them. In many cases, they'll take care
4 of those issues on themselves--by themselves. So there
5 are cases where we're already dealing with--with
6 these issues that we do not have jurisdiction to
7 enforce if it gets to an enforcement point. So we're
8 not anticipating that it's going to add staff. It

9 will be a strictly a complaint driven project. We'll
10 be referring to the other agencies that do have
11 jurisdiction. If it's inside the city limits,
12 neighborhood code has jurisdiction. We'll be
13 referring to them. If it's outside the city limits
14 and it's a Board of Health issue, we'll be referring
15 to them. So a lot of it's administrative issues that
16 we're already dealing with.

17 PETERS: Is there any distinction that's made between
18 farms, urban areas, rural areas, that type of thing?
19 How--will they be handled differently? Will they be
20 handled the same?

21 FULLER: Agricultural properties have been exempted
22 from this with the amendments we have made to that
23 property. So if farmers have--have fields that have
24 gone fallow, by design, we're not going to be citing
25 them. That is not a weed issue because it's exempted

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1 through our--through our proposal here.

2 PETERS: Okay. Thank you.

3 BLOOM: If that's the recommendation, now we're going
4 to open the public hearing. Is there anyone in favor
5 of the adoption of the International Property
6 Maintenance Code? Anyone in favor of the new code?
7 Is there anyone to speak against the adoption of the
8 code? Anyone to speak against?

9 IRVING: Commissioner Bloom--

10 PETERS: One from Robinson.

11 IRVING: --last night as--

12 BLOOM: Well, I should have read them.

13 IRVING: I'm sorry?

14 PETERS: She's got two letters in favor of.

15 IRVING: Last night we held the first of our four
16 meetings for the Plan-It Allen at the fairgrounds.

17 There was a gentleman that was there that approached
18 Mr. Peters and myself both. He has a PhD. His name
19 is John Robinson. And I--if I remember correctly, I
20 think he has class today from IPFW. Since he was
21 unable to be here, he asked me if I had e-mail and if
22 he could send me a letter and have it read into the
23 record, and--which he did and I received it last
24 night at 9:23 p.m.

25 It says, "Dear Commissioner Irving, Thank you

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1 for providing me with the opportunity to present my
2 views concerning the proposed property maintenance
3 code.

4 I reside on McComb Road in unincorporated
5 Allen County and feel strongly that the proposed code
6 is only appropriate for urban areas with highly--with
7 high po--population densi--density. In particular,
8 the code does not distinguish between maintenance
9 standards for a lawn and those of a forest or
10 farmer's field. Therefore landowners such as myself
11 whose property includes a forested area with natural
12 undergrowth could be required to cut all such growth
13 between the trees down to the 10 inches and grade the
14 land as specified in the code. For a property of
15 many acres this would be financially ruinous to the
16 owner and damaging to the environment; e.g. by
17 destroying natural cover for wildlife. I am told
18 that it is not the intention of those proposing the
19 code to apply it to rural areas." And that--that is
20 what I told him. It says, "Although I may trust
21 their intentions"--which is, I had explained to him
22 that our building code Commissioner had explained it
23 this way to us. He says, "Although I may trust their
24 intentions as written the code does apply to all
25 areas; and future enforcers may have different

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1 agendas. This type of 'one size fits all' code is
2 exactly the sort of thing feared by those of us who
3 objected to the recent attempt at accelerating
4 consolidated government in that it does not take into
5 account the very different environment of many
6 residents of unincorporated Allen County. It is
7 telling that the code does not even contain the
8 different words 'farm,' 'field' or 'forest.'" He
9 said he had actually read the entire code.

10 "Actually I would object to the proposed code
11 even if I lived in an urban area. First, it contains
12 no 'grandfather' clause which would limit enforcement
13 of technical violations until the home or property is
14 renovated or sold. Further it includes the
15 possibility of Draconian"--is that how it's
16 pronounced--

17 PETERS: Draconian.
18 IRVING: --"fines of up"--what is it?
19 PETERS: Draconian.
20 BLOOM: Draconian.
21 FULLER: Draconian.
22 IRVING: Draconian? Hell, I don't know. Excuse me.
23 "Draconian fines of to \$1000 per day with no
24 specified list of fines graded to the severity of the
25 violation. The fact that enforcement would be
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1 complaint-driven is not comforting; the complainant
2 may simply be obtaining revenge for a long [sic, low]
3 grade received in my physics class."
4 BLOOM: Low grade. Low grade.
5 IRVING: "Low grade in my"--I know, and my voice is
6 getting pretty choppy now.
7 "The proposed code seems to be an 'overkill'
8 solution to the problem that townships don't have the
9 resources to resolve reasonable complaints about
10 rusted cars etcetera visible on some properties. Why
11 not provided--why not provide them with the needed
12 resources or limit the proposed code to cover the
13 cases of most concern? Why do we need a massive,
14 intrusive code appropriate for Copenhagen or
15 Singapore? I agree with the comment attributed to
16 you in the Journal Gazette last summer: that many
17 people move to the unincorporated country--county to
18 escape such intrusions into the peaceful enjoyment of
19 their premises.

20 If the above text exceeds my time limit, feel
21 free to edit it as necessary.

22 Thank you once again for presenting my views.
23 John Robinson, Ph.D." He has a Ph.D. and teaches at
24 IPFW.

25 PETERS: That document will be admitted as public
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1 record, right?

2 IRVING: Yes, and that's why I didn't edit it. So I
3 could give it in his entirety. I didn't feel
4 comfortable by editing it and then putting it into
5 public record.

6 BLOOM: That's a letter against the adoption. And
7 two letters were put before me in favor of this. And

8 because of my voice today, I'm going to let Susan do
9 this, please.

10 IRVING: I should of let her do mine too.

11 PETERS: I've still got one at least more against
12 also.

13 BLOOM: Okay. Well, now that I've got everybody
14 confused. Let's do the other one first against.

15 We've had one against. Here's another one against.

16 This one is from Mark Masters in Leo, Indiana.

17 "I was informed that you are holding hearings
18 on the adoption of the code. I was unable to hear as
19 I have to work. I want to voice my opinion--voice my
20 opposition--the many flaws. The issue of older homes
21 is poorly addressed and short-sighted. Most often
22 older historic homes require a great deal of
23 renovation work. These renovations cannot be done
24 quickly or inexpensively. With the current plan it
25 owners of these older homes are punished and will

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1 likely lead to the destruction of more older/historic
2 properties to be replaces with
3 character--characterless cookie cutter homes that all
4 look alike.

5 These rules turn the encounty--entire county
6 into a subdivision. Some people, such as my family,
7 made a conscious decision to avoid subdivisions and
8 this now forces it upon us.

9 This plan harms elderly who may have
10 difficulty keeping up with maintenance on their home.
11 So my conclusion is that you are saying that people
12 who are older should live elsewhere.

13 People who do not have a lot of money will be
14 harmed since they may not be able to rapidly repair
15 any problems to their homes. Apparently, the county
16 commissioners believe that people with lower income
17 should not own homes.

18 The punitive nature of the code is
19 disgraceful. Rather than assisting people, it simply
20 harms them by operating under the assumption that
21 these people could meet the code if they wanted to."

22 Again, this is an opposition to the code.

23 "Mark Masters, Leo, Indiana."

24 Now the ones in favor of?

25 ELSER: This first letter is from Daniel Linnemeier.
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1 He is the Trustee Assessor for Lake Township.

2 "I have been the elected township trustee of
3 Lake Township for the past 26 years. When I took
4 office my goal was to work with the people of Lake
5 Township to improve our community. Over the years we
6 have been able to change for the better many things;
7 others have eluded several attempts. The main reason
8 that I have been forced to overlook some of the more
9 troublesome areas is the lack of 'clear cut'
10 guidelines and laws that would help me enforce the
11 changes to the areas that have been identified as
12 problems. I believe these proposed changes in the
13 guidelines and laws will be a step in the right
14 direction in giving me, and all of us who want to
15 make a difference, the tools we need to clean up
16 these problems areas that exist in many areas,
17 townships, and communities.

18 We must insure that those citizens who aren't
19 the problems don't feel the heavy hand of government,
20 while those who would take advantage of their
21 neighbors and their communities come to know that
22 respect for each other is indeed a part of being a
23 welcome part of their communities. Common sense must
24 always be a part of any action that might be taken
25 when a problem is identified, but acceptable actions

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1 must be taken to insure the old 'look the other way'
2 rules don't apply when a real problem exists.

3 I look forward to having this new tool in my
4 'Maintenance Box' and feel confident that all
5 departments involved in 'The Citizens Government'
6 will work together to make everyone's daily lives a
7 little less stressful, while still extending a hand
8 of help and respect to our neighbors. Sincerely,
9 Daniel F. Linnemeier, Lake Township
10 Trustee/Assessor."

11 And he did also include some pictures of
12 illegal dumping in the Lake Township area.

13 The second letter is from Lin Wilson.

14 "I own property at 12823 Northshore Drive at
15 Lake Everett in Lake Township. Although I do not

16 reside there year round yet, I am planning to move to
17 this address sometime this year.

18 When I purchased my property, I knew there
19 were many 'problem properties' at the lake, but being
20 the optimist I am, I figured things would get better
21 eventually. In the two years I have enjoyed my
22 property, I have only seen one unsafe building become
23 condemned and demolished. That was in large part
24 thanks to Mr. Dan Linnemeier and the Arcola Volunteer
25 Fire Department. The AVFD did a controlled burn on
0026

1 an old log house that was abandoned and unsafe, and
2 was further damaged by a tree falling on it.

3 I am in full support of adopting the
4 International Property Maintenance Code.
5 Additionally, I hope that enforcement officers will
6 be engaged to cite violations, and that fines will be
7 assessed for violations of the adopted code.

8 Attached are recent photos of problem
9 properties at Lake Everett. It is not a hopeless
10 community. A new home was built on Lonoke Drive
11 three years ago, and it recently sold for \$145,000.
12 The lake is the only natural lake in Allen County,
13 and has vast potential. The International Property
14 Maintenance Code could play a large part in the
15 renaissance of Lake Everett.

16 Thank you for your consideration of adopting
17 the International Property Maintenance Code.

18 Respectfully, Lin Wilson."

19 PETERS: Thank you.

20 IRVING: Commissioner Bloom, I'm not sure that this
21 is the appropriate time to bring this up, but it--it
22 troubles me greatly the letter that was written by
23 Mr. Masters and especially in the fourth paragraph.
24 At the end, it says, "Apparently, the county
25 commissioners believe that people with lower incomes

0027

1 should not own homes." I would like you as the
2 president of the commissioners to direct our PIO
3 department to e-mail Mr. Masters back with a lot of
4 the projects--we just recently, two months ago,
5 passed another ordinance that--for non-profit groups
6 to be able to purchase homes to give--I mean, I--I

7 don't want our--our audience--I know he's not here to
8 discuss it, but it's very troubling to think that we
9 have people out in the community that--that view the
10 county commissioners as being hard-hearted people
11 that don't believe that people with lower incomes--we
12 go to great extents to make sure that--that people
13 can afford their homes and provide avenues for them
14 to purchase homes.

15 BLOOM: Thank you. Is there anyone else to speak in
16 favor? Could you please come forward and identify
17 yourself? Thank you.

18 MOMPER: My name is Matt Momper. I'm a resident and
19 local businessman here in Allen County. I've been
20 associated in various ways with the Building
21 Department since 1984. And the level of quality and
22 improvements that the Building Department has done
23 for our community has been great. If you go to any
24 other places in the state or in the midwest or in the
25 United States, the quality of product, whether it's

0028

1 residential or commercial, is near the top. The
2 Board has spent a lot of time with the Department in
3 reviewing this proposal, and we feel that it would
4 help our community better itself. My friends, the
5 Board, and other businessmen support this proposal.
6 Thank you.

7 BLOOM: Thank you very much. Anyone else in favor?
8 Anyone else opposed? Would you please come
9 forward--there's a gentleman there--and identify
10 yourself, please? Thank you.

11 GRIFFITH: My name is Keith Griffith and I work for
12 the Vincent House.

13 BLOOM: Thank you.

14 GRIFFITH: This may not be the right form, ma'am, but
15 I see that some of the codes that are--that are being
16 put out there really hurt the people without any
17 income. We know several of them that their homes
18 were condemned, they couldn't get any assistance,
19 they became homeless. So anymore laws that could
20 potentially make somebody homeless, I'm not for. I
21 see it all day. I work with it all day.

22 BLOOM: Right.

23 GRIFFITH: And granted, that is not the only problem.

24 But it doesn't make sense to me that because a person
25 doesn't have enough money to repair their home, why
0029

1 you want to fine them. That--I just--the co--it just
2 don't make any sense to me. I also know I--I do work
3 in the inner-city here and I see a huge improvement.
4 Especially I noticed it last year how the homes were
5 looking and the yards, and it was--you can't tell
6 where you're for out north or you're out south
7 anymore. It--they--they really look nice and it's
8 appreciated, but there's a hell of a burden, excuse
9 me, for poor people. They can get put right out of
10 their home when there's no assistance for them for
11 the repair. Thank you for listening to me.

12 PETERS: Thank you.

13 BLOOM: Thank you for your comments.

14 IRVING: Thank you.

15 BLOOM: Anyone else to speak against the project?

16 David, do you have--

17 FULLER: Can we--

18 BLOOM: --something else?

19 FULLER: --can we provide some clarification because
20 there were some--some misstatements in one of the
21 letters at least regarding what the code actually
22 says?

23 BLOOM: Certainly, would you please come forward?

24 For clarification of the information we've already--

25 FULLER: Right.

0030

1 BLOOM: Okay.

2 FULLER: And we can give you the--the specific quotes
3 if you want. The--the issue came up of the forested
4 areas in the first letter opposed.

5 IRVING: Uh-huh (affirmative).

6 BLOOM: Yes, it did. They mentioned the words
7 "farm," "field," and "forest."

8 FULLER: Both of those have specifically been
9 exempted. Where the weeds pertain--the code
10 specifically deals with weeds or tall grass on
11 properties that have structures on them. So forests
12 and fields are not even a part of this code.

13 IRVING: Does that say that in black and white? And
14 I don't have the code right in front of me and it's

15 been months ago since I read it. I mean, I know that
16 also Mr. Robinson or Dr. Robinson said that, you
17 know, he--he has faith and trust in the people right
18 now, but what happens down the way. I mean--
19 BLOOM: Right.
20 IRVING: I--I just got that late last night and ran
21 it off this morning. I haven't had the chance to go
22 through--I mean, is it--is there an actual item
23 number that we can refer to that there--or that you
24 can bring back to us because we're not going to vote
25 on this today.

0031

1 FULLER: Sure.
2 IRVING: That--
3 GUTMAN: We certainly can. And just to clarify,
4 there's--in the code in the definitions sections, we
5 talk--the definitions define what--what an open space
6 is, what a premises is, and--and specifically, what a
7 yard is. And those are the areas that we're talking
8 about weed controlling within this code. And we'll
9 bring the specific code site for that. But--but
10 those are the areas, not forested areas. And it--and
11 it deals with open space that have premises on them,
12 so clearly forest--forested areas are not
13 contemplated by this for weed control in the
14 agricultural portion of it. Although if he just
15 reviewed the International Property Maintenance Code
16 without the--the changes that have been made--
17 BLOOM: Then they would have--
18 GUTMAN: --I see where that confusion may have come.
19 But we've specifically exempted--
20 IRVING: Uh-huh (affirmative).
21 GUTMAN: --agricultural areas in the--in the changes
22 that have been mod--made to this, to the
23 International Property Maintenance Code.
24 IRVING: Well, since I gave you a copy of the e-mail,
25 would it be possible for you to e-mail and make the

0032

1 other available to him--
2 FULLER: Uh-huh (affirmative).
3 IRVING: --so he has a chance to read both--
4 FULLER: Sure.
5 IRVING: --of them and not just the Internation--

6 GUTMAN: Certainly.

7 IRVING: Thank you.

8 BLOOM: Do you not think--because the comments that

9 I've had given to me in the rural areas--the areas

10 that are developed, most of those have their own

11 covenants, their own restrictions. Do you not see

12 this as a rural situation where we are targeting the

13 people who don't have these restrictions on them now?

14 Because I think that's the way that--I'm being told,

15 "Why are they telling me what to do out here? I have

16 my own land. I mind my own business. I don't have

17 close neighbors."

18 GUTMAN: From my--from my perspective--and Dave can

19 address this probably better than I can--but

20 these--this code really addresses life safety issues

21 and--which is different. I mean, if--and some the

22 pictures that have been made available to the

23 commissioners, you can see what--what the source of

24 premises are that we're--that the Building

25 Department's had to deal with. And I think Dave

0033

1 can--

2 FULLER: The majority of--you're right, in

3 subdivisions that are organized and new, even out in

4 the county, they have associations which have

5 guidelines. And those--

6 BLOOM: Right.

7 FULLER: --we don't get complaints, generally, from

8 those type.

9 BLOOM: Right.

10 FULLER: Where we get the complaints are, as Ms.

11 Wilson brought up, Lake Everett where they have

12 either no association or a limited association, and

13 they have very little legal authority to enforce is

14 where we get into problems. That's--whether you call

15 that a rural area or a suburban area, it's--it's an

16 area of--of concentrated residential structures, but

17 it's loosely concentrated. And those are the issues

18 that we're dealing with. We're not getting

19 complaints on farms out in the middle of nowhere in

20 most--in most cases. That's not the issue that we're

21 addressing here and that's not where we're getting

22 the complaints.

23 PETERS: Commissioner Bloom, I know we're still in
24 the comment stage, but as long as Mr. Fuller is
25 there, I've got one question maybe he can respond to.

0034

1 The concern that I've heard duplicated a couple of
2 times today has been that there is the potential with
3 passing this to be unfair to the low income
4 individual. Are you aware of any programs out there
5 that would assist the lower income individuals with
6 bringing their properties into compliance with these
7 standards?

8 FULLER: As it relates to this specifically, no.
9 Hands, which is a city organization has provided that
10 for years. And I think they still have programs and
11 the city still has programs in place that deals
12 obviously--areas inside the city limits. I am not
13 aware of any programs outside the city limits. I'm
14 also not aware of complaints that have come to us
15 that caused us to want to develop this that have
16 related to income. It's related to--to attitude more
17 than income--

18 PETERS: Right.

19 FULLER: --about their property maintenance. And
20 that's a whole diff--

21 BLOOM: Attitude?

22 FULLER: --attitude. That's a whole different issue
23 about, "I can't afford to do it." It's, "I'm not
24 going to do it and I don't care whether the neighbors
25 like it or not." And those are the kind of

0035

1 complaints we deal with, not whether they can afford
2 to fix it up.

3 BLOOM: But are we emphasizing the safety--I mean,
4 when you just said that, Carrie, that--I don't know
5 that I've heard that identified with this code--that
6 it is a safety concern.

7 FULLER: That's what--

8 BLOOM: Not totally.

9 FULLER: True. That's what all the International
10 Codes--the premise of all the International Codes is
11 to protect the life safety and property value. And
12 this starts--

13 BLOOM: But it's their property. What if they don't

14 care about their property value--

15 FULLER: And--

16 BLOOM: --because they can't afford to do anything
17 about it.

18 FULLER: --and that's fine. But if I'm living next
19 door to them, it's my property value that's being
20 affected. And I keep my house nice, but they don't.
21 It also relates from a life safety issue because this
22 code does deal with commercial issues, not so much
23 the structure itself because we already have an
24 unsafe building law from the state of Indiana that
25 covers that. This code adds in systems, equipment

0036

1 systems, that are life safety issues that no code
2 addresses right now. We've had a fire in a building
3 three times in New Haven in a--in an industrial
4 building created by the dust collection system that
5 is not maintained and it catches fire. And the fire
6 department has been called out to--to deal with that.
7 This code allows us to deal with those kind of
8 equipment systems where we have no way to do that if
9 somebody complains about it now. And those are true
10 life safety issues.

11 BLOOM: I'm just asking questions of people that have
12 called me. I'm looking at pictures of these unsafe
13 buildings that have been abandoned or--if people know
14 who the owners are of these, the ones that are
15 abandoned, I can't believe that the ones that have
16 people living in them that even surrounding neighbors
17 couldn't go and--look at what some of our culture
18 does to help other people that are less fortunate
19 around them. But to make someone do this, I see
20 this. If you could all see these pictures, these are
21 very unsightly, unsafe-looking premises. I just
22 can't believe. In the--in the respect that they've
23 been abandoned is one thing, but some of these could
24 have residents. I mean, people living in them that--
25 I don't know. I--I hear what you're saying. I--I

0037

1 did not understand that this was mainly a--a safety
2 issue. I thought it was more of a--

3 FULLER: And it goes beyond the structures. If you
4 have--

5 BLOOM: --an appearance--

6 FULLER: --piles of debris, that attracts rodents,
7 and rodents attract disease. So it--

8 BLOOM: I know.

9 FULLER: --you know, it's a longer term than just
10 a--a facility collapsing or, you know, a fire.

11 BLOOM: Okay. Anything else? Do I have a
12 motion--thank you very much. Do I have a motion to
13 close the public hearing.

14 IRVING: Yes, I'd like to make a motion to close the
15 public hearing.

16 BLOOM: Well, I did.

17 PETERS: Okay. I'll second that.

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

19 PETERS: Aye.

20 IRVING: Aye.

21 BLOOM: Aye. I think I gave everyone the
22 opportunity.

23 PETERS: I just want to make sure.

24 BLOOM: And then again, the vote on this will take
25 place on March 2nd. March 2nd. Thank you very much.

0038

1 Moving right along here, renewal of agreement between
2 the Sheriff's Department and the town of
3 Leo-Cedarville for patrol services. Hi, Sheriff.

4 HERMAN: Good morning.

5 PETERS: Good morning.

6 IRVING: Now do you have a way of emptying a room?
7 Had to say that to you, Sheriff.

8 HERMAN: This--I'm Sheriff Jim Herman. This is
9 renewal of the agreement between the Sheriff's
10 Department and the town of Leo-Cedarville for patrol
11 services. We have done this for quite some time now.
12 This is simply a renewal, but at this time they
13 have--

14 BLOOM: Increased.

15 HERMAN: --increased the contract from 14 hours of
16 patrol per week to 20 hours per week, and so that ups
17 the--the amount per year from \$17,108.00 to
18 \$24,400.00 per year.

19 BLOOM: Same hourly, increased hours.

20 HERMAN: Right.

21 IRVING: I'll make a motion we approve.

22 PETERS: I'll second that.
23 BLOOM: All in favor, signify it by saying, "Aye."
24 PETERS: Aye.
25 IRVING: Aye.

0039

1 BLOOM: Aye.
2 HERMAN: Thank you very much.
3 BLOOM: Thank you, Sheriff.
4 HERMAN: You have the contracts. I will wait for the
5 signed copy to come back, and we'll make sure that we
6 get our copy, right?
7 BLOOM: Thank you, that's correct.
8 PETERS: Thank you.
9 IRVING: Thank you. You have a nice week.
10 BLOOM: Inter-agency agreement between the Allen
11 County Solid Waste Management Board and Allen County.
12 BURRUS: Good morning.
13 BLOOM: Good morning.
14 IRVING: Good morning, Tony.
15 BURRUS: Tony Burrus with Allen County Safety and
16 Environmental. And this agreement is a agreement
17 that we've had over several years with the Solid
18 Waste District identifying the--the District's
19 ability to participate in the County's benefit plan
20 for the Solid Waste District's staff and the
21 coordination of the Solid Waste District activities
22 by the County's Safety and Environmental Director.
23 PETERS: I would so move on that Inter-agency
24 agreement between the Allen County Solid Waste
25 Management Board and Allen County.

0040

1 IRVING: I'll second it.
2 BLOOM: All in favor, signify it by saying, "Aye."
3 PETERS: Aye.
4 IRVING: Aye.
5 BLOOM: Aye.
6 BURRUS: Thank you.
7 BLOOM: Thanks, Tony. Addendum to the WSCA contract
8 for Hewlett Packard and Kyocers Mita.
9 IRVING: Kyocers.
10 BLOOM: Well, I've not only have not heard of that, I
11 can't even pronounce it.
12 LITTLE: You just did--

13 BLOOM: Did I?

14 LITTLE: --correctly.

15 IRVING: Yes.

16 BLOOM: Did I do pretty well?

17 LITTLE: Yes, you did.

18 BLOOM: Gee whiz, thanks.

19 IRVING: Isn't that what your cell phone is?

20 BLOOM: No. No, mine isn't.

21 LITTLE: I'm Bruce Little, the County's Purchasing
22 Director.

23 BLOOM: Mine isn't. Our highway director has that
24 kind of phone.

25 LITTLE: A couple of weeks ago the commissioners
0041

1 approved a participatory agreement with the Western
2 States Contracting Alliance which is a governmental
3 purchasing organization. Now that we've entered into
4 that agreement, we would like to issue a couple of
5 addendums to participating vendors so that we can buy
6 from them with these contract arms.

7 IRVING: After reviewing the contracts, I so move.

8 PETERS: I'll second that motion.

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

10 PETERS: Aye.

11 IRVING: Aye.

12 BLOOM: Aye.

13 LITTLE: Okay, thank you.

14 IRVING: Thank you very much.

15 BLOOM: Anything else this morning, Bruce?

16 LITTLE: That's it.

17 BLOOM: Thank you.

18 LITTLE: Sure.

19 IRVING: Have a good week.

20 LITTLE: You too.

21 BLOOM: Appointments to the Common Wage Committee for
22 2005 Road and Bridge Projects. We have--

23 ELSER: The names before you today are G. William
24 Fishing representing industry, Nelson Peters as the
25 project donor representative, and Brian Dumford

0042

1 representing the taxpayer.

2 IRVING: I make a motion we approve.

3 PETERS: I'll second that.

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

5 PETERS: Aye.

6 IRVING: Aye.

7 BLOOM: Aye. Confirmation of Appointment by the
8 Allen County Council to the Allen County Economic
9 Development Commission.

10 ELSER: The name before you is Steven Bercot. And
11 this comes as a recommendation from the Allen County
12 Council as their appointment to this Board awaiting
13 your approval.

14 PETERS: I would so move on the recommendation of
15 Steven Bercot to--

16 IRVING: Seconded.

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

18 IRVING: Aye.

19 PETERS: Aye.

20 BLOOM: Aye. Appointment to the--appointments to the
21 Allen County Emergency Management Advisory Council.

22 ELSER: Commissioner Bloom, we have two appointments
23 today that come from recommendations from the city of
24 Fort Wayne. The Fort Wayne Fire Department, the
25 recommendation is Deputy Chief Pete Kelly. For the

0043

1 Fort Wayne Police Department, Deputy Chief Martin
2 Bender. And I would also add that Mayor Graham
3 Richard has asked that Bernie Byer be appointed as
4 his proxy to this organization.

5 PETERS: I so move on those appointments to the Allen
6 County Emergency Management Advisory Council.

7 IRVING: I'll second it.

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

9 IRVING: Aye.

10 PETERS: Aye.

11 BLOOM: Aye. Approve the 2004 Mileage Certification
12 Report, 1,440.75 miles. Good morning, Mike.

13 FITCH: Good morning.

14 IRVING: Good morning, Mike.

15 PETERS: Good morning.

16 FITCH: Mike Fitch, Allen Highway Department. This
17 is our annual mileage certification report. This
18 report goes to INDOT for their review and approval.
19 It sets up our funding for our NVH and local road and
20 street funds are based on our annual street mileage.

21 They use the mileage from the year 2004 for--to
22 calculate our funds for 2005. This year we had--we
23 started out with 1415--1450.06 miles.
24 BLOOM: Right.
25 FITCH: We had accepted new streets of 15.22 miles.
0044

1 The city of Fort Wayne annexed 24.43 miles. City of
2 New Haven annexed .04 miles. So our--our new total
3 is 1440 miles .81 [1440.81].

4 PETERS: So we actually lost about nine, nine and a
5 quarter miles, right?

6 FITCH: A little less than 10 miles, yes. This has
7 been the trend. Actually the highest mileage the
8 County--was in 1985. So since 1985, we have
9 gradually been--

10 BLOOM: Decreasing.

11 FITCH: --decreasing in size.

12 BLOOM: But not nearly as much as we could if we
13 didn't have all of the new dedicated streets that
14 we're getting out in the rural area.

15 FITCH: Yes, we--we pick up--

16 BLOOM: Because we picked up a lot.

17 PETERS: Uh-huh (affirmative).

18 FITCH: --15 to 30 miles a year.

19 BLOOM: '85 was our highest mileage?

20 FITCH: Yeah.

21 BLOOM: Before the annexations--the big one.

22 FITCH: It was almost 1600 miles.

23 BLOOM: Okay. I remember that.

24 PETERS: So we're losing, it appears, about that
25 amount every year. Was--is that close to accurate?

0045

1 FITCH: It's been kind of up and down over the years.
2 I've got a chart that I--I can give you that
3 shows--that plots the plus and minuses.

4 BLOOM: This is only this. I'm not upset about that.

5 FITCH: But we've had some annexation years--

6 PETERS: Right.

7 FITCH: --you know--

8 BLOOM: Right.

9 FITCH: --over the years. And usually, annexation
10 goes down and we--we add--it starts building up and
11 then it goes back down.

12 BLOOM: Right.
13 IRVING: But over a tw--
14 FITCH: So it's not a continuous--
15 IRVING: --but you said it was 16 something, and
16 we're at 1440, so that means basically over a 20-year
17 period, if you're going to just average it out, that
18 means that it's right.
19 PETERS: We've lost 200 miles.
20 IRVING: Either it's less than--
21 FITCH: Yeah.
22 IRVING: --or right at--
23 BLOOM: Two hundred [200].
24 FITCH: Yeah.
25 PETERS: Yeah.

0046

1 FITCH: Yeah, that we've lost.
2 BLOOM: And the reason it isn't more, like I said, is
3 because of additional certified, dedicated--
4 FITCH: Right.
5 BLOOM: --subdivision--
6 IRVING: But that's only 10 miles a year.
7 BLOOM: --streets that we take.
8 PETERS: Uh-huh (affirmative).
9 BLOOM: Yeah.
10 IRVING: Ten [10] miles a year. That's--and--that's
11 what we add. That's--
12 FITCH: Yeah. Okay?
13 BLOOM: Thank you. Now we're going to have--
14 IRVING: Do we need a motion to accept that?
15 BLOOM: --oh, we need to accept that, for mileage.
16 IRVING: I make a motion that we accept the 2004
17 mileage certification report.
18 PETERS: I'll second it.
19 BLOOM: All in favor, signify it by saying, "Aye."
20 PETERS: Aye.
21 IRVING: Aye.
22 BLOOM: Aye. Approve and accept the following new
23 streets for maintenance for a total of 4.01 miles.
24 Susan, would you read those, please?
25 ELSER: Yes, and Commissioner, I will read the

0047

1 subdivision and the street, although there are some
2 specific footages--

3 BLOOM: Yeah, I see that.

4 ELSER: --those will be in the public record if

5 someone wants to call and check on that.

6 BLOOM: That's great. Thank you.

7 ELSER: Devil's Hollow Section "L" - Longview Cove;

8 Hawks Nest Ridge Sections I, II, III, and IV - Hawks

9 Wood Trace, Soaring Hawk Trail, Swallow Tail Run,

10 Coopers Hawk Cove, Coopers Hawk Cove, Spotted Hawk

11 Cove, Red Tail Run, Red Tail Court, Raptor Cove,

12 Hawkstream Trail, Hawkstream Cove; Cedar Canyon

13 Sections I and II - Amstutz Knolls, Juniper Lane--

14 BLOOM: Cedar Creek.

15 ELSER: --I'm sorry, Cedar Creek Sections I and II.

16 BLOOM: Thank you.

17 ELSER: Amstutz Knolls, Juniper Lane, Buttonwood

18 Pass, Consta Verde Lane, Consta Verde Commons; Lakes

19 of Brooks Crossing Sections I and II - Coral Springs

20 Drive, Fox Valley Run, Island Brooks Lane, Pointed

21 Reef Way, Bluff--Bluff Pointe Way, Coral Isle Cove;

22 Sycamore Lakes Section I - Seegar Boulevard,

23 Clairborne Drive, Banbury Court and Snyder Trail,

24 Almdale Drive, Abbington Trail, Henlock Drive and

25 Henlock Court; Walnut Springs Section

0048

1 II - Shallowbrook Drive, and Butterbough Lane.

2 PETERS: Now these will be added to our 2005 Mileage

3 Certification--

4 FITCH: Yes.

5 PETERS: --correct?

6 FITCH: Yes.

7 PETERS: Okay.

8 FITCH: Yes, these are just recent ones.

9 IRVING: I make a motion we approve.

10 BLOOM: A to--

11 PETERS: I'll second it.

12 BLOOM: --a total of 4.01 miles. All in favor,

13 signify it by saying, "Aye."

14 PETERS: Aye.

15 IRVING: Aye.

16 BLOOM: Aye. Approve a preliminary engineering study

17 agreement between Beam, Longest and Neff and Allen

18 County for improvements to Gump Road from Lima to

19 Coldwater for a total of 27,100 [\$27,100.00]. Allen

20 County's portion will be 75% of that which is
21 \$20,325.00. Huntington's share is 25%, 6775
22 [\$6775.00].

23 IRVING: Commissioner Bloom, I think you meant to say
24 Huntertown, not Huntington.

25 BLOOM: I did. Huntertown.

0049

1 IRVING: She said Huntington.

2 FITCH: She--

3 IRVING: She did.

4 FITCH: --no.

5 BLOOM: I didn't mean to.

6 IRVING: I know. I make a motion--

7 BLOOM: Huntertown.

8 IRVING: --we approve.

9 PETERS: I'll second it.

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

11 PETERS: Aye.

12 IRVING: Aye.

13 BLOOM: Aye.

14 IRVING: Although if we could get Huntington to share
15 in the cost of this, I'd--I'd take that motion.

16 BLOOM: I'm sorry, Huntertown, I didn't mean it.

17 Approve additional Warranty Deeds required for right

18 of way acquisitions on the Dupont Road from Pine

19 Mills to Auburn Road - Parcel 13, Parcel 17,

20 Parcel 18, and Parcel 28.

21 IRVING: I make a motion we approve.

22 PETERS: I'll second that.

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

24 PETERS: Aye.

25 IRVING: Aye.

0050

1 BLOOM: Aye.

2 FITCH: That's all I have today.

3 BLOOM: Anything else?

4 FITCH: Thank you very much. Have a good day.

5 BLOOM: Thanks.

6 PETERS: Thank you.

7 BLOOM: Any other business this morning?

8 ELSER: We have no other business.

9 IRVING: Commissioner--

10 BLOOM: Any--

11 IRVING: --Commissioner Bloom, before we go to public
12 comment, I would like to remind our television
13 audience that we are still accepting donation for our
14 Heart to Heart for our military phone cards. You can
15 go to our office which is in the City-County
16 Building, Room 200 from 8:00 to 4:30 to accept
17 donations, or you can go to Sam's Club and they have
18 a box set up at their service center. The fund is
19 going real good and we encourage you all to go out
20 and bring us your pennies, nickels, dimes, quarters,
21 and dollars.

22 PETERS: And Commissioner Irving, how long will they
23 be accepting those donations until?

24 IRVING: Right now--

25 BLOOM: Until.

0051

1 IRVING: --we are going to do the initial send out of
2 cards. So the initial kickoff is going to be over on
3 Monday. But as discussed with my two partners, we
4 may continue this for a little longer and just extend
5 the amount and send the cards as necessary.

6 PETERS: Thank you.

7 IRVING: Thank you.

8 BLOOM: Or as funded.

9 IRVING: Or as funded.

10 BLOOM: Yes. Thank you. Would someone please do
11 number 15?

12 IRVING: I make a motion that we approve to waive the
13 second reading on all matters approved today in which
14 it may deem necessary.

15 PETERS: I will second that.

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

17 PETERS: Aye.

18 IRVING: Aye.

19 BLOOM: Aye. Now are there any comments from the
20 public? If none, meeting adjourned. Thank you for
21 visiting with us.

22 IRVING: Thank you.

23 (Adjourned at 10:58 a.m.)

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1 STATE OF INDIANA)

) SS:

2 COUNTY OF ALLEN)

3

4 REPORTER'S CERTIFICATE

5 I, Kimberlee M. Adams, a Notary Public in and
6 for the State of Indiana, County of Allen, do hereby
7 certify that the above and foregoing is a true and
8 accurate transcript of the Board of Commissioners of
9 the County of Allen, Legislative Session, held before
10 me on February 2, 2005 in the Allen County
11 Commissioner's Courtroom, Room 200, City-County
12 Building, 1 East Main Street, Fort Wayne, Allen
13 County, Indiana; that I am not related to, employed
14 by or interested in any of the parties to this cause
15 of action.

16 IN WITNESS WHEREOF, I have hereto affixed my
17 hand and seal this 7th day of February, 2005.

18

19

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

20

21

My Commission Expires:

22 December 2, 2011