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1 STATE OF INDIANA)
)SS:

2 COUNTY OF ALLEN)

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7 BOARD OF COMMISSIONERS
 OF THE COUNTY OF ALLEN

8

9 RE: LEGISLATIVE SESSION OF
10 March 9, 2005

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DATE: March 9, 2005

15

16

TIME: 10:11 a.m.

17

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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

23

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1 PRESENT:
2 Linda K. Bloom Allen County Commissioner
3 Nelson Peters Allen County Commissioner
4 Marla J. Irving 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. Fishing Allen County Counsel
- 11 Michael Fitch Allen County Highway Department
- 12 Ed LaRocque Director, Allen County Emergency Management
- 13
- 14 Mark Royse
- 15 Ben Adams Scnelker Engineering
- 16 J. Hoffman Aboite Independent
- 17 Mike Mills ACEA
- 18 David LaFlair ACEA
- 19 John Stanford ACEA
- 20 Kimberlee Adams Rolf Reporting, Inc.
- 21 Ben Lanka Journal Gazette
- 22 Kevin Leininger News Sentinel
- 23
- 24
- 25

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7	Mike Fitch	23

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21 reduction (\$83,860.00)

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9. Approve traffic posting changes for the
8 following:

a) First Street, from Hoagland Road

9 to 100' North - Post NO PARKING
HERE TO CORNER sign.

10

b) Hoagland Road, from First Street

11 to 100' East - Post NO PARKING

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0006

1 BLOOM: Good morning, and welcome to the
2 Commissioners Legislative Session, March 9th. First,
3 we'll say a pledge our country and a silent thought.

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

7 BLOOM: Thank you. Approval of the Minutes of March
8 2nd.

9 IRVING: So moved.

10 PETERS: Second.

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

12 PETERS: Aye.

13 IRVING: Aye.

14 BLOOM: Aye. Refunding of the Jail/First Mortgage
15 Bond. Good morning.

16 FISHERING: Good morning. Ladies and gentlemen, I'm
17 Bill Fishering, the County attorney. You have
18 received a proposal to refund your 2000 first
19 mortgage bonds on the jail. The proposal indicates
20 that that refunding will occur only if there's a net
21 savings of over a half a million dollars
22 [\$500,000.00]. The proposal is that that half a
23 million dollars would go to debt service reductions,
24 so in essence, reduce the taxes necessary to pay off
25 the bond--

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1 IRVING: Great.

2 FISHERING: --by more than \$500,000.00. The proposal
3 is for Summers and Company who did the original
4 mortgage bonds on this particular matter. I've

5 reviewed the form. It's in its typical form. And I
6 would recommend passing that.

7 IRVING: I make a motion that we approve. Any time
8 that we can save the taxpayers over a half a million
9 dollars, I'm all in favor of that.

10 PETERS: I would second that.

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

12 PETERS: Aye.

13 IRVING: Aye.

14 BLOOM: Aye. Thank you.

15 IRVING: Thank you.

16 FISHERING: I'm up next.

17 IRVING: What is this, the--the attorney show this
18 morning?

19 BLOOM: How about the Approval of Settlement with
20 County Employee Association.

21 FISHERING: Yes, there was a federal lawsuit aided
22 by the County Employee Association about the
23 withholding of membership dues through the County
24 payroll system. That is, in my opinion, a fringe
25 benefit. The County Commissioners are directly

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1 involved in all fringe benefit approvals. A
2 Settlement has been reached which basically will
3 allow them to have that deduction but provides that
4 if the total number of reductions becomes burdensome
5 because requests by other entities, that there's no
6 suggestion that we can't eliminate all of those
7 problems for us. It also provides for \$2,000.00
8 worth of attorney's fees to be paid to their counsel.

9 I would tell you that we had an experience where we
10 took off the United Way from our payroll deduction to
11 see how that would work for us, and it did not work
12 very well.

13 BLOOM: No.

14 FISHERING: So there are a number of reasons to
15 continue payroll deductions for various entities that
16 you all support. So I would recommend this
17 Settlement.

18 PETERS: I would so move Approval of the Settlement
19 of the County Employee Association.

20 IRVING: I'll second it.

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

22 PETERS: Aye.
23 IRVING: Aye.
24 BLOOM: Aye. Consideration--now, are you finished?
25 FISHERING: Thank you. I think so, unless--
0009

1 BLOOM: Okay.
2 FISHERING: --you read something to surprise me.
3 BLOOM: Thanks. Consideration of an Agreement
4 between the County of Allen and the Chamber for 2005.
5 IRVING: Commissioner Bloom, this is the contract
6 that we support the Chamber and it's outlined. It is
7 for a total of \$15,000.00. Is that correct?
8 BLOOM: That's correct.
9 PETERS: Right.
10 IRVING: And I've had a meeting with Phil, and I
11 think you've both had a chance to review the
12 contract. So with that knowledge, I'll make a motion
13 we approve the Chamber contract for 2005.
14 BLOOM: No, 15,000 [\$15,000.00].
15 IRVING: Yeah, but for the year 2005.
16 BLOOM: Oh, right.
17 PETERS: Real quick, before I second that. Is there
18 any part of that contract that goes towards the
19 Alliance at--that--
20 IRVING: No.
21 PETERS: --or--
22 IRVING: No.
23 BLOOM: Oh, no.
24 PETERS: --is this strictly to the Chamber?
25 IRVING: No.

0010
1 BLOOM: That's Chamber.
2 IRVING: This is--strictly goes to the Community
3 Research Institute. It is a maximum of \$15,000.00 to
4 be used for that. The industrial manufacturing
5 pinpointers, the--it--it goes towards strictly
6 amenities to help with the continuation of the--the
7 Chamber--
8 PETERS: Okay.
9 IRVING: --and to give us the proper facts that we
10 need for economic development too.
11 PETERS: All right. I would second the Approval of
12 the Agreement with the Chamber of Commerce for 2005.

13 IRVING: Yes.
14 BLOOM: All in favor, signify it by saying, "Aye."
15 PETERS: Aye.
16 IRVING: Aye.
17 BLOOM: Aye.
18 IRVING: Thank you.
19 BLOOM: Signature required by the State for continued
20 reporting for the Hessen Cassel Grant Project. Good
21 morning, Ben.
22 ADAMS: Good morning, Commissioners.
23 IRVING: Good morning, Ben. We missed you--
24 BLOOM: How are you?
25 IRVING: --last week.

0011

1 ADAMS: First of all, I want to apologize for missing
2 the meeting last week.
3 IRVING: We heard you were deathly ill.
4 ADAMS: I wish that were the case. I want to try to
5 bring up a few points here and I don't want to get
6 too burdensome. But as you guys know, we did the
7 grant and it was closed out last year sometime. And
8 due to continued reporting requirements due to the
9 fact that the Cou--the regional sewer district was a
10 sub-recipient of you guys--
11 BLOOM: Uh-huh (affirmative).
12 ADAMS: --we have to report on this thing for the
13 next five years.
14 IRVING: Great.
15 BLOOM: Great?
16 ADAMS: I really don't want to do it. And I would
17 like to request that you guys turn the thing over to
18 the County's Grant Administrator. I, in fact, have
19 with me the--both of the semi-annual reports for the
20 next two reporting periods and would be more than
21 willing to assist her in anything she needs.
22 This--the--the sad fact of the matter is that
23 it's--it's merely changing a date and a name on a
24 form. And--
25 IRVING: Were you not the administrator of this grant

0012

1 through this project, though?
2 BLOOM: Uh-huh (affirmative).
3 ADAMS: I was, Marla.

4 BLOOM: Uh-huh (affirmative).

5 IRVING: Well, is--as our County attorney just walked
6 out the door, I would feel more comfortable if we had
7 his legal opinion on this because I surely do not
8 want to do anything that would contradict our
9 original signatures for the grant and the
10 expenditures of the grant money. And if it's a
11 five-year reporting period, you administered the
12 grant, you administered the money, I would ever hate
13 to see that the grant be questioned because we did
14 not follow the--

15 BLOOM: Right.

16 IRVING: --proper procedures.

17 ADAMS: Let me say one more thing, since the
18 Department of Commerce receives their funding from
19 HUD--

20 IRVING: Uh-huh (affirmative).

21 ADAMS: --these reporting forms revolve around such
22 items as job creation, housing. The simple fact of
23 the matter is we did a sewer project. Really, very
24 little is going to change in the next five years.

25 I--I guess I don't mind continuing to do it. And I--
0013

1 IRVING: That's good to know.

2 ADAMS: --and I'll try to be a little more prompt in
3 getting the thing--

4 IRVING: Uh-huh (affirmative).

5 ADAMS: --together. Maybe if we could just have Lynn
6 try to remind me.

7 IRVING: That, we would do. But I--I truly, Ben--and
8 I know that it's--it's burden--

9 BLOOM: Burdensome.

10 IRVING: --burdensome because you are already through
11 the project. But with all of the grants that have
12 been administered through County government, usually
13 in the fine line, that there's a hesitation if that
14 responsibility would be--

15 BLOOM: Shifts. Uh-huh (affirmative).

16 IRVING: --would be shift--shifted. And without
17 having our attorney read and get his
18 micro--microscope out and just, you know, see
19 what--what the fine line says, I don't want to do
20 anything to jeopardize the grant if it's just a

21 matter of changing dates and names.
22 BLOOM: Aren't we going to have more projects such as
23 this, or there's a possibility?
24 ADAMS: We could. And if the reporting is--is lax,
25 you would not be eligible to receive future grants.
0014

1 So--
2 IRVING: Okay.
3 ADAMS: --I--that's sort of my thought too in that,
4 you know, she's working for you guys--
5 IRVING: Uh-huh (affirmative).
6 ADAMS: --and she's going to keep on top of that--
7 BLOOM: But isn't this--
8 ADAMS: --I think, a lot better than I would.
9 BLOOM: --part of your responsibility as the--
10 ADAMS: It--it--it was.
11 BLOOM: --engineering firm that did this?
12 ADAMS: Well, more so that I was the Grant
13 Administrator of record.
14 IRVING: He was the Grant Administrator. That's what
15 concerns me.
16 ADAMS: The engineering part of it has nothing really
17 to do with it anymore.
18 BLOOM: Okay.
19 IRVING: Uh-huh (affirmative).
20 BLOOM: Why--why did you, then--why were you the
21 Grant Administrator?
22 ADAMS: Well, at that time, I was allowed to do both.
23 I--
24 BLOOM: Engineering and grant?
25 IRVING: Uh-huh (affirmative).

0015
1 ADAMS: --I--I am no longer allowed to do that
2 because the State deemed that a conflict of interest.
3 BLOOM: Okay. Okay, I get it. So you can't do
4 future projects--
5 ADAMS: Right.
6 BLOOM: --as far as the grant administration. But--
7 ADAMS: Correct.
8 BLOOM: --I agree with Marla on this. I think you're
9 going to have to continue it and somehow get a
10 five-year calendar, or something, and mark the day.
11 ADAMS: Well, I'll tell you what I'm going to do.

12 I'm going to leave with Susan the forms for the June
13 30th reporting period and the December 31st reporting
14 period.

15 BLOOM: Twice a year?

16 ADAMS: It's bo--

17 IRVING: Uh-huh (affirmative).

18 ADAMS: It's semi-annually, yes.

19 IRVING: Yeah, it is.

20 BLOOM: And it's unfortunate because we do have a
21 sewer project, unlike some of the other ones, that
22 would and could change.

23 ADAMS: True. I--I just want to leave this with you.

24 If you'd give them to Lynn and maybe she can try to
25 prompt me in some way. I don't know.

0016

1 PETERS: Well, this may not even be an issue as long
2 as we get some legal opinion from the County
3 attorney, right?

4 IRVING: Okay.

5 PETERS: I mean, isn't that really the next step in
6 this whole process.

7 IRVING: I--I think what I would like to do is I
8 would like to be able to sign this so we get it sent
9 in so we're not delinquent.

10 ADAMS: Yes.

11 IRVING: And I--

12 BLOOM: Right.

13 IRVING: --would like to defer the decision--

14 PETERS: Uh-huh (affirmative).

15 IRVING: --on how we are going to handle this grant
16 in the future. Please, don't give us the paperwork.

17 ADAMS: Do not or do?

18 BLOOM: Not.

19 IRVING: Do not give us the paperwork.

20 ADAMS: Okay.

21 IRVING: I want our attorney to look at the original
22 grant. Let's see if there's--what the possibilities
23 are. And I know you have a monthly calendar, so if
24 you have not heard from us within 30 days, give us a
25 jingle.

0017

1 ADAMS: That sounds fine, Marla.

2 IRVING: And Ben, I hate to--but I don't want to

3 jeopardize any future projects. This was too
4 successful--

5 BLOOM: Yeah, it was.

6 IRVING: --of a project for us. And you know, as I
7 said, sometimes the fine line in these grants are
8 appalling. That's why I--I've gotten to the point
9 where I do not even consider a grant until our
10 attorney has put his stamp on because they're
11 just--there's too much in the fine print.

12 ADAMS: Well, I--I don't have any problem with that.
13 And like I said, I again apologize for not being more
14 on the ball on this--

15 IRVING: Okay.

16 ADAMS: --but the signatures that I have asked for
17 today would satisfy the reporting period through
18 December 31st of '04.

19 IRVING: Okay.

20 BLOOM: Okay.

21 ADAMS: Come June, we'll have to--

22 BLOOM: Then we've got another one.

23 ADAMS: --we'll have to do it again. Okay?

24 IRVING: Commissioner Bloom, would it be possible
25 that we direct Susan, our Legislative Secretary, to
0018

1 get a copy of the grant to give to our attorney and
2 to mark on her calendar no more than a 30-day?

3 BLOOM: Absolutely.

4 IRVING: So two of you have to have 30-day calendars
5 between the two of you.

6 ADAMS: I'm fine with all of that.

7 IRVING: Okay.

8 ADAMS: Okay?

9 IRVING: Well, we just like seeing you too, Ben.

10 ADAMS: Okay. I--I enjoy coming down.

11 IRVING: You know, just like you enjoy, you know,
12 having your fingernails pulled out or something,
13 right? Now we appreciate it, but let's just make
14 sure that--that we're not going to do anything that
15 would cancel future grants.

16 ADAMS: I totally understand that.

17 BLOOM: Riverhaven and--

18 ADAMS: I would say one other thing. I still am
19 responsible for signing one line on the semi-annual

20 report--
21 BLOOM: Right.
22 ADAMS: --and would be, like I said, more than
23 willing to do that. But please, investigate that.
24 IRVING: Okay.
25 ADAMS: I would really appreciate that.

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1 IRVING: We will.
2 ADAMS: Thank you very much.
3 IRVING: Thank you.
4 BLOOM: You're welcome.
5 ADAMS: Have a good day.
6 IRVING: Good to see you.
7 ADAMS: Okay.
8 IRVING: Bye-bye, Ben.
9 BLOOM: Approve the Grant application for Emergency
10 Management that will enable the State to make a
11 sub-grant for the Homeland Security Community
12 Response Team, \$7,238.27. Good morning.
13 LAROCQUE: Good morning, ladies and gentlemen.
14 PETERS: Good morning.
15 LAROCQUE: My name is Ed LaRocque. I'm the Emergency
16 Management and Homeland Security Director for the
17 County. Before I get going, I hear the tornado siren
18 going, so I'm sure within the next minute or two the
19 building alarms are going to go off as part of the
20 statewide tornado test this morning.
21 IRVING: Sixteen [16] minutes.
22 BLOOM: It's--
23 ELSER: 10:30.
24 LAROCQUE: Well--
25 BLOOM: Four--

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1 LAROCQUE: --it was going to--some--sometime
2 between--
3 BLOOM: --fourteen [14] minutes.
4 LAROCQUE: --10:00 and--10:00 and 10:30 is what the
5 State said they were going to be doing it.
6 BLOOM: Oh.
7 IRVING: Oh.
8 LAROCQUE: I hear the jail siren going, so we'll
9 probably--
10 IRVING: Do they evacuate the jail?

11 LAROCQUE: No, no, the siren on top of the jail, the
12 outdoor warning--
13 BLOOM: Evacuate the jail.
14 LAROCQUE: --siren on top of the jail.
15 IRVING: Well, I kind of--you know, I'm--
16 BLOOM: Did you hear this?
17 LAROCQUE: I think--
18 BLOOM: Go on.
19 LAROCQUE: Okay.
20 BLOOM: Let's move along here.
21 LAROCQUE: Sure. This--
22 BLOOM: What's this money for?
23 LAROCQUE: --well, this grant will be to provide
24 training aids and supplies and materials for the
25 Community Emergency Response Teams that we are
0021

1 training. We've already trained over 50 people. It
2 kind of harkens back--you're too young to
3 remember--back to the old days of civil defense.
4 BLOOM: Yeah--
5 LAROCQUE: And--
6 BLOOM: --sure.
7 LAROCQUE: --well, sure you are--and this kind of
8 harkens back to those days. It teaches people some
9 basic first aid, basic fire suppression, basic search
10 and rescue, basic instant command, things like that.
11 They can help the first responders in large scale
12 incidents. We did use CERT people during the
13 flooding to help coordinate the sandbaggers
14 and--and--and help--help with that, so they've
15 already been a big--
16 BLOOM: Great.
17 LAROCQUE: --big help to the community.
18 IRVING: Good.
19 BLOOM: And this is additional money and it's a grant
20 and--
21 LAROCQUE: No match.
22 PETERS: I make a motion for the approval of the
23 grant for the Homeland Security Community Emergency
24 Response Team grant program.
25 IRVING: I second that motion.
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1 BLOOM: All in favor, signify it by saying, "Aye."

2 PETERS: Aye.

3 IRVING: Aye.

4 BLOOM: Aye. Thank you very much.

5 LAROCQUE: Thank you.

6 BLOOM: Appointments to the Common Wage Committee for

7 the 200--2005 Traffic Striping Project and Ice Rink

8 Replacement at the Coliseum.

9 ELSER: The names before you today are Ben Johnston

10 representative of industry appointed by the owner,

11 Marla Irving, a taxpayer appointed by the legislative

12 body of the County, and Brian Dumford, a taxpayer

13 appointed by owner.

14 IRVING: I make a motion we approve these three fine

15 people.

16 PETERS: I'll second it.

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

18 PETERS: Aye.

19 IRVING: Aye.

20 BLOOM: Aye. Change Orders to the Juvenile Center.

21 Change Order #019, #044, #032, #025, #031, and #041,

22 and they are all deducts. Go girl.

23 IRVING: And--because Ed LaRocque was light--that we

24 have these available for anybody to look at in our

25 office. The amounts are \$1100.00, \$83,860.00,

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1 \$4,940.00, \$6400.00, \$17,342.00, and \$9,628.00. I

2 make a motion that we approve these deducts.

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. Approve traffic posting changes for the

8 following--we are going to be so popular. This was

9 needed. First Street from Hoagland to 100 feet

10 north, and Hoagland Road from First Street to 100

11 feet east, NO PARKING FROM HERE TO CORNER signs. We

12 have that request. We're able to accommodate it

13 according to a study that was done in the Hoagland

14 area. And this is a good thing.

15 IRVING: I make a motion we approve.

16 PETERS: And I'm familiar with both of them as well.

17 I would second that motion.

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

19 PETERS: Aye.
20 IRVING: Aye.
21 BLOOM: Aye. Any other business? Good morning,
22 Mike.
23 IRVING: Good morning.
24 FITCH: Good morning. Mike Fitch, Allen County
25 Highway. Under Other Business, I have title sheets
0024

1 here for two bridge projects--
2 BLOOM: Okay.
3 FITCH: --the Maysville Road project and the Rorick
4 Road bridges. That's all I have.
5 BLOOM: Okay. Is that it? Any other business this
6 morning.
7 ELSER: I believe you have a Proclamation.
8 BLOOM: I do. I have a Proclamation that I'm going
9 to read very quickly. Thanks.

10 "Allen County Board of Commissioners
11 Proclamation. Whereas the months of March through
12 June present the highest risks for severe
13 thunderstorms and tornadoes to strike in Allen
14 County, and whereas Allen County is located within
15 the nation's tornado alley making it a prime target
16 for devastating tornado outbreaks and other types of
17 severe weather, and whereas a statewide tornado
18 warning exercise will be held today for the purpose
19 of testing communication systems, equipment, and
20 procedures, and whereas Allen County's Emergency
21 Management Agency provides printed materials as well
22 as onsite building safety assessments to help
23 residents and employees to develop their own plans to
24 survive a severe weather outbreak. Now therefore,
25 the Board of Commissioners of the County of Allen

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1 hereby proclaim March 6 through 12, 2005 as Severe
2 Weather Preparedness Week in Allen County and
3 encourages all residents to become aware of tornado
4 danger signs and learn how to remain safe in the
5 event of severe weather activity in our area." This
6 Proclamation is signed by the Board of Commissioners
7 on the 9th day of March. Bloom, Irving, and Peters."
8 I think this would be extremely appropriate for
9 you.

10 IRVING: Thank you.
11 LAROCQUE: Thank you very much.
12 BLOOM: Thank you.
13 LAROCQUE: Appreciate your support in helping the
14 community be better prepared.
15 BLOOM: Thank you.
16 IRVING: Thank you, Ed.
17 BLOOM: Did I read quickly enough?
18 PETERS: That was good.
19 IRVING: I'd like to make a motion that we waive the
20 second reading on any matters that were approved
21 today for which it may deem necessary.
22 PETERS: I'll second that.
23 BLOOM: All in favor, signify it by saying, "Aye."
24 PETERS: Aye.
25 IRVING: Aye.

0026

1 BLOOM: Aye. Any comments from the public this
2 morning? Any comments from the public? If none,
3 meeting adjourned. Thank you.
4 IRVING: Thank you.

5 (Adjourned at 10:22 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 March 9, 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 17th day of March, 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

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25