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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 APRIL 20, 2005

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14

DATE: April 20, 2005

15

TIME: 10:09 a.m.

16

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

19

REPORTER: Rhonda M. Mullholand

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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 Department
- 8 John McGauley Allen County Public Information Department
- 9
- 10 Win Rood Focus on Health
- 11 Scott Harrold Allen County Department of Planning Services
- 12 Anita Yamanaka Fort Wayne-Allen County Economic Development Alliance
- 13
- 14 G. William Fishering Allen County Attorney
- 15 Robert Lee Allen County Treasurer
- 16 Jane Howard Verizon
- 17 Michael Fitch Allen County Highway Department
- 18
- 19 Miguel Trevino DLZ
- 20 Rhonda M. Mullholand Rolf Reporting, Inc.
- 21 Ryan Lengerich News-Sentinel
- 22 Ben Lanka Journal-Gazette
- 23 Jerry Hoffman Aboite Independent

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15 Department of Natural Resources, to
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 - 19 5. Change Order 28
20 Allen County Juvenile Center
21 C.O. #003 Midwest Caulking, Inc.
22 Contract Reduction
23 (\$1,465.00)
 - 24
 - 25 6. Appointment to a Common Wage
Committee for 2005 Facility Improvement
Projects for the Metropolitan School

18 District of Southwest Allen County 22

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7. Approve Warranty Deed for the Coldwater Road - Phase II project right-of-way acquisition, located at Coldwater Road and Gump Road intersection, Project #04-254 from:

22

a) Parcel 11 - Northwest Allen County Schools 28

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1 8. Approve Warranty Deeds for the Coldwater Road - Phase I project right-of-way acquisition, located between Union Chapel Road and Pion Road, Project #03-120 from:

4

a) Parcel 19 - Marshall O. Mosher and Edith Louise Mosher

5

b) Parcel 21 - Jerry L. Church and Carolyn Church 28

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8 9. Approve and award Bid Reference #05-05, Furnish and install traffic pavement paint markings on Allen County roads for 2005 to Three Rivers Barricade and Equipment Co., Inc. -- Total award \$191,177.80. (Bids were received and opened on April 12, 2005 by the Allen County Department of Purchase.) 29

12

13 10. Approve Change Order #2 for Marion Center Road Bridge over St. Mary's River, Project BR1496, Bid Ref. #49-04 between R.L. McCoy, Inc. and Allen County - \$8,548.00 Increase 30

16

11. Approve traffic posting changes for:

17

- 18 a) Lighthouse Lane @ Cedar Key
Court - Post STOP
- 19 b) Bay Pines Court @ Monte Vista
Drive - Post STOP
- 20
- 21 c) Bayspring Drive @ Monte Vista
Drive - Post STOP
- 22 d) Crosstree Court @ Monte Vista
Drive - Post STOP
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- 1 12. Other Business:
- 2 a) Addition to the Allen County Code
- Title 12 (Financial)/Article 121
3 (Convenience Fees) 24
- 4 b) Verizon update on fiber optic
project 32
- 5
- 6 13. Approval to waive the 2nd Reading on
any matter approved today and for which
7 it may be deemed necessary for the
Legislative Session of April 20, 2005
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1 BLOOM: Good morning and welcome to the
2 Commissioners' Legislative Session. First, we will
3 pledge our country, and then have a silent moment.

4 (At this time the Pledge of Allegiance is
5 recited followed by a moment of silence.)

6 BLOOM: Thank you. First, I need an approval of the
7 minutes from April 13th.

8 PETERS: I make a motion to approve the minutes of
9 April 13th.

10 IRVING: Second the motion.

11 BLOOM: All in favor signify by saying "aye."

12 IRVING: Aye.

13 PETERS: Aye.

14 BLOOM: Aye. We have a proclamation this morning,
15 and Win Rood, our prestigious guest, is going to
16 accept this, from the Commissioners, for Focus on
17 Health. Would you two please stand. I think we can
18 stand here.

19 IRVING: Are we going to sing?

20 BLOOM: No, we're not going to sing. "Whereas, this
21 year, Focus on Health marks its 25th year of bringing
22 important information about health and wellness to
23 locations convenient for residents to visit, such as
24 churches, apartment complexes, schools, and the City-
25 County Building. And, whereas the wide range of

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1 health screenings offered at Focus on Health sites
2 gives participants an opportunity to learn about
3 potential health problems early so that they may seek
4 prompt treatment from their healthcare professional.
5 And, whereas our community is indebted to the
6 countless volunteers who have devoted their time and
7 talents to Focus on Health through 25 years, steering
8 all of us toward the path of wellness. And, whereas
9 Allen County is proud to have provided the City-
10 County Building as a host site for the very first
11 Focus on Health program 25 years ago, as well as this
12 year, and many years in between. Now, therefore, the
13 Board of Commissioners, of the County of Allen,
14 hereby proclaim April the 20th, 2005 as Focus on
15 Health, 25th Anniversary Day," signed Bloom, Irving
16 and Peters. Thank you very, very much.

17 IRVING: Congratulations.

18 BLOOM: Thank you.

19 (At this time, there is a round of applause.)

20 BLOOM: Do you have anything you'd like to say to us
21 this morning.

22 ROOD: Just--just that we, the Focus on Health staff,
23 would like to thank, particularly, the Commissioners,
24 who have made this available to us, and also who have
25 encouraged the employees of Allen County to take part

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1 in our Focus on Health day. And, you're right, it is
2 our 25th anniversary, and we'll be having a
3 celebration right here (indiscernible), which will be
4 in-house, so we hope you all come.

5 BLOOM: Thank you.

6 IRVING: We'd love to come.

7 ROOD: Thank you.

8 BLOOM: Thank you for coming today.

9 IRVING: Have a wonderful day.

10 ROOD: Thank you.

11 BLOOM: Approval of an application for an IDGF Grant
12 from the State of Indiana for infrastructure for
13 expansion of C&M Fine Pack. Good morning.

14 IRVING: Good morning.

15 HARROLD: Good morning. I'm Scott Harrold, from the
16 County Planning Department, and with me is Anita
17 Yamanaka, from the Alliance. Basically, we had
18 brought this to you about a month ago, and at that
19 time we decided to pull it from the agenda and--
20 because we were looking to get a better handle on the
21 scope of the project, and where the funding sources
22 would be. And, since that time, we've had the
23 Surveyor's Office, and the Highway Department look at
24 the projects, and we've been able to reduce the cost
25 some there, and probably will be reduced by bringing

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1 it in-house, and we're going to handle the project
2 management, and bidding, and that sort of stuff.
3 Also, we're working with the State to increase their
4 commitment. We have a general understanding that
5 they will--are willing to increase the percentage of
6 the funds--of the total project funds, while reducing
7 their overall exposure to it. Basically, they

8 encouraged us to go ahead and submit the application,
9 the--the paperwork. It takes a little bit of time to
10 work through the process, and that will also give
11 them a little additional information to look at in
12 determining how much additional funding they want to
13 put toward the project. Basically, this is just an
14 application for a grant. Once the--the--you've done
15 these approvals, then we'll have an actual grant
16 agreement that will also need to be approved by the
17 commission at that time. If you have any questions,
18 I'd be happy to answer them at this time.

19 IRVING: Before we have any questions, Anita, I know
20 you're more than just a pretty face sitting there.

21 Maybe you'd like to share with my two partners your
22 involvement in this, because I think it's very
23 special.

24 YAMANAKA: I think this is a great project. We've
25 been working with the County since it was brought to
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1 us at the end of last year. And, part of the reason
2 why we had a larger amount, to begin with, in terms
3 of the infrastructure dollars, was because we were
4 requested to respond very quickly, within a matter of
5 days to this project.

6 BLOOM: Uh-huh (affirmative).

7 YAMANAKA: And, they had a number of items they
8 needed us to address, so we brought it from 800,000
9 [\$800,000.00], to 1,000,000 [\$1,000,000.00], down to
10 a much more reasonable figure and still have it as
11 efficient as the company needs it to be to be
12 successful. But, I know the County and other
13 partners are assisting the project in a number of
14 ways, from tax abatement, to infrastructure
15 assistance, to employee assistance, and the company
16 is very thankful. This is a big part of the reason
17 why we got the project, over our competitor.

18 BLOOM: Wonderful.

19 IRVING: Anita, no, I'm going to make you toot your
20 own horn yet. I want you to explain to my two
21 partners what you do one day a week at C&M Fine Pack.

22 YAMANAKA: As part of the agreement, and this is a
23 large project, we're talking a \$35,000,000.00
24 project, with, you know, almost--

25 IRVING: 169 jobs.

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1 YAMANAKA: --269 new jobs.

2 BLOOM: 269.

3 IRVING: 269.

4 YAMANAKA: And, as a result, and because of the

5 quickness of the project, we really needed to devote

6 more time, so I'm out at the company one day a week

7 making sure that everything is running smoothly.

8 Again, everything from a tax abatement, working with

9 the County, and the IDGF, to the other state grants,

10 and HR issues, and construction issues, and--and

11 utility issues. So, we're trying to make it go as

12 smoothly as possible. And, part of doing that is

13 showing our commitment by--by putting me out there

14 one day a week.

15 BLOOM: Isn't that something.

16 IRVING: C&M Fine Pack has provided her with an

17 office, and desk, telephone, computer, and

18 everything, and once a week, on--is it Tuesday or

19 Thurs--

20 YAMANAKA: Thursday.

21 IRVING: --Thursdays, I thought it was Thursdays,

22 once a week she spends all day Thursday, and just

23 going through--the plant manager is available--Ross

24 comes in, talks to her, and she just makes sure that

25 everything is running smooth, because this is an

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1 important project, it's got a deadline to be done.

2 And, my hat off to Anita. When I was out there a

3 couple weeks ago, and Ross and Anita took me through

4 the--the plant again--I mean, you can tell--she knows

5 all the employees, you know, all the office people.

6 It has been such an asset to having her out here,

7 because the problems that could be created from--from

8 just, you know, playing phone tag, to internet

9 messages maybe getting lost in the system, and she's

10 got Scott to work with her. I mean, she's right out

11 there, on the spot, and can pull the proper people

12 in. So, I wanted to have your horn tooted just a

13 little bit because you are such an integral part of

14 this success.

15 BLOOM: Absolutely.

16 YAMANAKA: Oh, thank--thank you, but it's--it's
17 really the team members that make it possible. The
18 support that we're getting from County is--

19 BLOOM: Well, we don't discount Scott ever.

20 IRVING: No. No.

21 PETERS: Scott, can you answer for me real quick, and
22 I apologize for not catching up with you--with you
23 sooner, but how does this whole thing work? It's my
24 understanding that parts of the infrastructure will
25 be subcontracted?

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1 HARROLD: Basically, each of the projects will be
2 handled separately. There's a rail spur--

3 PETERS: Right.

4 HARROLD: --that we are actually getting close to
5 bidding. And, when we bid that, I think it's
6 actually going to be bid through the Commissioners,
7 but then we will pay for it through TIF funds, at
8 least eventually. We have some TIF funds available,
9 about 170,000 [\$170,000.00], I think.

10 PETERS: All right. Now--

11 HARROLD: The sewer will be bid separately, and that
12 may be bid out at the Surveyor's or through Highway
13 Department. I'm--I'm not quite sure about the--a
14 mechanism there. And, the road improvements will
15 probably be done by the Highway Department, and then
16 we'll reimburse them for that money at some point.

17 PETERS: Right. Now, the project started out, from
18 what I recall, at \$800,000.00, is being re--the
19 scope's being reduced to about 350,000 [\$350,000.00]
20 --

21 HARROLD: Right.

22 PETERS: --what's the rationale behind that?

23 HARROLD: I'll let Anita tackle that question.

24 YAMANAKA: There are actually a couple of factors.
25 One--I'd say the most significant's the rail spur.

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1 In the beginning, they had a much more elaborate rail
2 plan designed, but working with the engineer, and--
3 and some other folks we were able to redesign that.
4 So, it's a much smaller scope, but it still does what
5 the company needs it to do--

6 PETERS: Right.

7 YAMANAKA: --and it still lets them be efficient.

8 So, it was really just a redesign for maximum

9 efficiency on that end.

10 PETERS: Great.

11 YAMANAKA: And--and some others--I think it was just

12 working with the County, and some other folks, that

13 had more experience on--on ways we could reduce the

14 cost overall.

15 PETERS: Uh-huh (affirmative). Now, are there

16 certain parameters, or guidelines, that have been

17 established to allow for the matching. I--you're

18 looking for 50% now, where I think the original

19 commitment was 30%. How do you get there, what kind

20 of things do we have to do to attract that 50% match.

21 HARROLD: We're working closely with Karen

22 SanClemente from the Indiana Economic Development

23 Council. And, it's--really, at this point, we have

24 a--basically, a verbal commitment from her.

25 Normally, you get a pre-commit, saying, this is what

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1 we'll do. The--the actual agreement will spell out

2 the actual terms, when they return that to us, but

3 we--we feel very certain that we will get some better

4 terms, a better commitment from them. Really, the

5 question right now is what their maximum will be.

6 Our--our bargain with them is, you know, increase it

7 from 30% to 50%, but we'll reduce your maximum

8 exposure from 300,000 [\$300,000.00] down to--

9 PETERS: Right.

10 BLOOM: Right.

11 HARROLD: --some lower number, and that's--that's

12 what we're bargaining over right now.

13 YAMANAKA: It's a good size for both parties.

14 IRVING: Each--each project--economic development

15 project that the State has, they all--they look at

16 certain criteria. And, of course, each project is--

17 is just a little different.

18 YAMANAKA: Uh-huh (affirmative).

19 IRVING: You know, the--how many jobs, you know, the

20 --the hourly wage in the jobs, what's the investment

21 in the community. I mean, this is--this is all put

22 into basically a formula. So, each project is

23 basically looked at, and--on it's--

24 PETERS: On its own merits.

25 IRVING: --own merits. Uh-huh (affirmative). I make
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1 a motion that we approve the application for the IDGF

2 Grant.

3 PETERS: I'd second that.

4 BLOOM: All in favor signify by saying "aye".

5 IRVING: Aye.

6 BLOOM: Aye.

7 PETERS: Aye.

8 BLOOM: Thank you very much.

9 HARROLD: Thank you.

10 YAMANAKA: Thank you.

11 IRVING: Thank you.

12 BLOOM: Nice to meet you. Nice to have you always,

13 Scott.

14 HARROLD: My pleasure.

15 BLOOM: Approval to Lutes Flying Service, Inc., in
16 cooperation with the DNR to conduct applications for

17 the 2005 Gypsy Moth Control Program. I don't see

18 anyone here. Do we have the--

19 IRVING: I think our attorney's gonna do it.

20 BLOOM: --Gypsy Moth boy.

21 FISHERING: Yes. I'm the Gypsy Moth designated
22 speaker.

23 BLOOM: I said "boy."

24 FISHERING: Yeah, that's good. Fine with me. The

25 State of Indiana has a Gypsy Moth monitoring and
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1 eradication program. As you probably all know, we do

2 have some Gypsy Moths, at least in the north part of

3 Allen County.

4 BLOOM: Yeah, we do.

5 FISHERING: This program is the spray portion. You

6 have two applications. There are--under FAA

7 regulations, since they're flying over Allen County,

8 for some unknown reason they think it's important

9 that we approve their flying over Allen County. So--

10 BLOOM: Oh, quit it.

11 FISHERING: --this is our approval of them--

12 IRVING: But, it's true.

13 FISHERING: --it's true, I--for the life of me I

14 can't figure out, but--

15 BLOOM: We have to give permission for Gypsy Moths to
16 fly over-

17 FISHERING: No, not the Gypsy Moths, the air service.
18 The Gypsy Moths normally don't request permission.
19 But, we could pass an ordinance requiring that they
20 do.

21 BLOOM: No, I--I like the idea better that we're
22 giving permission to the Gypsy Moths.

23 FISHERING: Yeah. All right. That's fine.

24 BLOOM: Alabama gives permission to hummingbirds.

25 FISHERING: I think we should investigate Canadian
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1 geese.

2 BLOOM: Oh.

3 FISHERING: But, that's--

4 BLOOM: I'll investigate that with you.

5 FISHERING: --a whole other issue.

6 BLOOM: Yes.

7 IRVING: Mr. Fishing, you know, I--we saw this,
8 late last week, come through--

9 BLOOM: We have to get the--

10 IRVING: --and, you know, sometimes when you're
11 laying at night and you can't think of anything, the
12 Gypsy Moth just kind of, you know, comes into your
13 brain.

14 FISHERING: I've not had that problem.

15 IRVING: I was wondering if--I was wondering if this
16 had anything to do with the new FAA rulings with crop
17 dusters, and spraying, since--since 911.

18 FISHERING: I'm--I'm sure that this rule directly
19 arises out of the 911 scenario, and the fact that
20 you're going to have planes flying over, so that if
21 anybody questions it, they can say they've notified
22 the local authorities, and that they've approved--
23 because, these will be low passes, with crop dusting
24 --or, I would guess, planes that look like crop
25 dusters.

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1 BLOOM: But, we're not supposed to be interrupting
2 their mating.

3 FISHERING: No. There's nothing worse than that.

4 BLOOM: That's what I'm reading here. I'm reading
5 about this.

6 IRVING: I see--I see our PIO officer is in--in the
7 room. John, can I make a request--

8 BLOOM: (Indiscernible) I'm just, John--

9 IRVING: --that we get this on our website, and the
10 dates that they're gonna be flying over.

11 FISHERING: So the people know.

12 IRVING: Well, so people realize it, so we don't get,
13 you know, 50 different calls on it. Maybe we could
14 capture a few more. And, I see the Journal-Gazette
15 is here, maybe you can mention something too.

16 FISHERING: For--yeah--for those people that are not
17 monitoring the Gypsy Moth mating habits, and wouldn't
18 know when this was happening--

19 BLOOM: I'm telling you--I'm telling you that's what
20 these papers say--

21 FISHERING: I'm not arguing with you. I--

22 BLOOM: --I--we need that on our web.

23 PETERS: I'm not sure how you did pan that without
24 even a smile, but--

25 BLOOM: Oh, but he does.

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1 FISHERING: We need this on our website?

2 IRVING: No, we need the dates of when the flying
3 over is gonna be.

4 BLOOM: Oh, my--

5 PETERS: I'll make a motion on the Lutes Flying
6 Service thing. But, let me just--

7 BLOOM: I wish Ralph were here.

8 PETERS: --I was going to say, in the meantime, it
9 never ceases to amaze me the length to which we go to
10 add to the bureaucracy. I mean, I'm sitting here
11 with a letter that says, "This letter is to provide
12 written approval for aerial application by your
13 service company..." by--by the DNR. And, so the
14 DNR's already approved it, now we've got to approve,
15 these people have got to approve it, and it just
16 never ceases to amaze me. But, having said that,
17 I'll make a motion to approve it.

18 IRVING: I will second the motion--

19 BLOOM: We do this--

20 IRVING: --only because--

21 BLOOM: I wish Ralph were here.

22 IRVING: --agree, I would not want to interrupt their

23 mating.

24 BLOOM: I wish Ralph were here. He's the president

25 of this flying service. All in favor signify by

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1 saying "aye."

2 PETERS: Aye.

3 IRVING: Aye.

4 BLOOM: Aye. I agree with Nelson. This is--

5 FISHERING: I'm not arguing with you.

6 BLOOM: --I mean, good Lord.

7 FISHERING: I have two other matters.

8 BLOOM: Well, go for it.

9 FISHERING: One, I believe--

10 BLOOM: What are they?

11 FISHERING: --to be on the agenda, the one would be

12 additional business. The one that's on the agenda is

13 a Common Wage appointment for Southwest Allen County

14 Schools, and this--

15 BLOOM: Yeah, we need to do that. I'm trying to find

16 it--it--it's number six.

17 IRVING: Yeah, what name is before us?

18 ELSER: The name before you is James Elizondo.

19 FISHERING: Yes. This is your standard process,

20 under the State Common Wage Law, the Commissioners--

21 since Southwest is in Allen County, appoint a person

22 to that committee. We typically appoint the person

23 recommended by the governmental entity that's doing

24 the project. In this case, Southwest has recommended

25 Mr. Elizondo. So, I'd recommend you'd approve.

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1 IRVING: I make a motion we approve.

2 PETERS: I'll second it.

3 BLOOM: All in favor signify by saying "aye."

4 PETERS: Aye.

5 IRVING: Aye.

6 BLOOM: Aye.

7 FISHERING: Oh, yes, she'll read the project that

8 this is applicable for so it's in our record.

9 ELSER: Aboite Elementary School, landscaping

10 improvements, new lighting and painting;

11 Administration Building, carpet and painting;

12 Covington Elementary School, awnings, floor mats,

13 seal and stripe parking lot; CMT Center, seal and

14 stripe parking lot; Deer Ridge Elementary School,
15 wall coverings, caulking, ice melt system for flat
16 roofs; Haverhill Elementary School, handicap ramps;
17 Homestead High School has resanding and refinishing
18 auxiliary gym floor, auditorium aisle lighting,
19 carpet, doors, painting, renovations for clinic are
20 for waiting area, renovating publications room,
21 display cases, restroom renovations, lighting,
22 windows, and fencing; Summit Middle School has HVAC
23 renovation for pool area, flush valves, walk off mats
24 and fencing; and Whispering Meadows Elementary
25 School, carpet, painting, seal and stripe parking

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1 lot.

2 PETERS: You missed that part about Gypsy Moths'
3 mating habits.

4 ELSER: Yeah, that's in the invisible
5 (indiscernible).

6 BLOOM: If you bring that up one more time. Go.
7 Who's going to make a motion?

8 PETERS: We already did.

9 IRVING: We already did.

10 PETERS: That was just being read into the record.

11 FISHERING: That was reading into the record what the
12 projects were

13 BLOOM: That was telling us who--all right. Also,
14 you have an ordinance, I believe, here. I don't
15 have--

16 FISHERING: I think I'm the "Other Business."

17 BLOOM: This has something to do with Section 12/121,
18 Title 12, the Financial?

19 FISHERING: Yes. As you know, the Treasurer is
20 implementing a credit card collection process for the
21 payment of taxes. As part of that, a convenience fee
22 needs to be established, and that, in essence,
23 requires the people using the credit cards to pay the
24 fees assessed by the credit card companies so that
25 our net tax receipts remain what they are actually

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1 billed. We have initially, after conversations with-

2 -the Treasurer is here, he can speak for himself--

3 established that at 2.5% so that we recapture the

4 costs of doing that. The money would be deposited in

5 the technology fund and used to pay either the costs
6 associated with the technology itself, and/or the
7 costs should there be any charged in excess by the
8 credit card companies.

9 BLOOM: Okay.

10 FISHERING: So, we would ask your approval.

11 LEE: Yeah, the--

12 BLOOM: Identify yourself, please.

13 LEE: Oh, Bob Lee. I serve as your Allen County
14 Treasurer. The charges from the credit card--I think
15 a lot of people aren't aware of the actual charges
16 that the merchant are paying. For example, when you
17 go into a restaurant, or a hardware store, the hard
18 charges approach, you know, over 2% in some cases.
19 So, as Attorney Fishing said, by charging this
20 convenience fee, then the unit--the taxing units that
21 rely on the tax dollars will receive the full amount
22 of the tax payment from--from the taxpayer, and then
23 we'll use the convenience fee to offset the bank
24 charges.

25 BLOOM: Uh-huh (affirmative).

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1 LEE: Then, anything left over, which is going to be
2 minimal, to start with will go into the technology
3 fund to be used to offset the expenses that we have
4 of keeping the technology up here in Allen County.

5 BLOOM: Okay.

6 IRVING: As both of you are aware, this is a project
7 that the Treasurer, and I, and--and Steenman have
8 worked on for two years, and we're getting it kicked
9 off before the tax bills go out. This was the last
10 piece of the puzzle. Just a little food for thought,
11 this process that we're using right now is going to
12 be reviewed once a year, after two tax bills have
13 been sent out. So, we'll review it after the spring
14 and fall, then next year after the spring and fall,
15 because we want to kind of see if we can't get on
16 some type of a graduated scale versus having a two
17 and a half percent for the handling fee. But, right
18 now, this was the best way that we figured that--that
19 would be the easiest for the calculation of it. And,
20 it may end up that this is the process that we may
21 end up keeping for years on end. But, it will be

22 reviewed, and I make a motion that we accept
23 Ordinance Number--I don't have that--
24 BLOOM: It's on one of these.
25 ELSER: It's Title 12, Article 121, Convenience Fees.
0027

1 IRVING: --okay, I make a motion that we approve.
2 PETERS: I'll second it.
3 BLOOM: All in favor signify by saying "aye."
4 IRVING: Aye.
5 PETERS: Aye.
6 BLOOM: Aye. Thank you.
7 LEE: Thank you.
8 BLOOM: Do you have anything else, Bill?
9 IRVING: Thank you, Bob. This has been wonderful.
10 LEE: It's very, very close. We will have it up--and
11 another benefit of this--
12 BLOOM: No?
13 LEE: --is also the ability to look up your taxes on
14 line. Because, you can stop just short of going to
15 make a payment. You can look up your taxes, see how
16 much they are, see if they're paid, and then cancel
17 out of that. So, it also serves as a look up, on-
18 line look up--
19 IRVING: Right.
20 LEE: --(indiscernible) too. So, we're excited.
21 BLOOM: Yeah.
22 LEE: We're shooting for this week, by the end of the
23 week having it up, so hopefully--
24 BLOOM: Thank you for another service. Boy, this is
25 good.

0028

1 LEE: Thank you.
2 BLOOM: We have a change order for the Juvenile
3 Center, Midwest Caulking, Change Order #003, for a
4 deduct of 1465 [\$1465.00].
5 IRVING: I make a motion we approve.
6 PETERS: I'll second it.
7 BLOOM: All in favor signify by saying "aye."
8 PETERS: Aye.
9 IRVING: Aye.
10 BLOOM: Aye. Approve a warranty deed for the
11 Coldwater Road, Phase II project, right-of-way
12 acquisition. This was a confusion to us a couple of

13 weeks ago because it was two Parcel 11s, but this is
14 a different Parcel 11, and this one is a Coldwater
15 and Gump. So, I would like an approval, please.

16 IRVING: So moved.

17 PETERS: I'll second it.

18 BLOOM: All in favor signify by saying "aye."

19 PETERS: Aye.

20 IRVING: Aye.

21 BLOOM: Aye.

22 FITCH: Mike Fitch, Allen County Highway.

23 BLOOM: Approve warranty deeds for Coldwater Road,

24 Phase I, right-of-way acquisition, located between

25 Union Chapel and Pion, Parcel 19 and 21.

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1 IRVING: I make a motion we approve.

2 PETERS: I'll second it.

3 BLOOM: All in favor signify by saying "aye."

4 IRVING: Aye.

5 PETERS: Aye.

6 BLOOM: Aye. Award and--approve and award Bid

7 Reference #05-05, furnish and install traffic payment

8 paint markings for 2005 to Three Rivers Barricade,

9 191,177.80 [\$191,177.80].

10 IRVING: I make a motion that we approve.

11 PETERS: I'll second it.

12 BLOOM: How--how much has this gone up, or how has it

13 in--as compared to other years?

14 IRVING: I have the--

15 FITCH: This is--

16 BLOOM: I didn't have it.

17 FITCH: --I don't have the exact percentage, but

18 there is a slight increase, but it's not significant.

19 BLOOM: Okay.

20 FITCH: It's within like 5% or less.

21 IRVING: It's--yeah, that's what my notes say, that

22 it--that it's a fraction of an increase.

23 PETERS: Mike, does it seem odd that there was only

24 one bidder on this?

25 BLOOM: Nuh-uh (negative). That's all we ever have,

0030

1 I think.

2 FITCH: We had a second bidder. The bid came in

3 about two hours late.

4 BLOOM: That's the one that arrived in the mail.
5 FITCH: We had to throw the bids out. Yeah.
6 BLOOM: Oh, boy.
7 FITCH: It was unfortunate.
8 IRVING: Occasionally, that--that does happen.
9 FITCH: Right. Even with a single bid, we--we
10 compared the bids per last year, and we felt it was
11 still competitive, even with one bid.
12 PETERS: Uh-huh (affirmative).
13 BLOOM: Okay. Great. Approve change order--
14 PETERS: You got a motion--
15 BLOOM: Oh, I did have a--
16 PETERS: --you had a motion to second.
17 BLOOM: All in favor signify by saying "aye."
18 PETERS: Aye.
19 IRVING: Aye.
20 BLOOM: Aye. Thank you. Approve Change Order #2 for
21 Marion Center Road Bridge over st. Marys River, Bid
22 Reference #49-04, between R.L. McCoy and Allen
23 County, 8548 [\$8,548.00] increase.
24 FITCH: This is a--the project's nearing completion.
25 Our engineers discovered there's some scouring of the
0031
1 river bank adjacent to the bridge, and so this was
2 for additional erosion control material to make sure
3 we don't have a maint--serious maintenance problem in
4 the future.
5 BLOOM: Right.
6 IRVING: So moved.
7 PETERS: I'll second it.
8 BLOOM: All in favor signify by saying "aye."
9 PETERS: Aye.
10 IRVING: Aye.
11 BLOOM: Aye. Approve traffic posting changes for
12 Lighthouse Lane at Cedar Key Court, Bay Pines Court
13 at Monte Vista Court, Bayspring Drive at Monte Vista
14 Drive, Crosstree court at Monte Vista Drive, and
15 these are all "STOP" signs.
16 FITCH: Yes.
17 IRVING: So moved.
18 PETERS: I'll second it.
19 BLOOM: All in favor signify by saying "aye."
20 PETERS: Aye.

21 IRVING: Aye.
22 BLOOM: Aye.
23 PETERS: You scared me there for a minute.
24 BLOOM: What did I do.
25 PETERS: Well, I didn't hear anybody else saying
0032
1 "aye."
2 BLOOM: Oh, aye.
3 IRVING: We're letting you hang there, Nelson.
4 BLOOM: Do you have anything else this morning?
5 FITCH: That's all I have. Nope, just a short list
6 today.
7 BLOOM: Thank you very much.
8 FITCH: Thank you very much. Bye-bye.
9 IRVING: Thank you Mike.
10 BLOOM: Bye.
11 FITCH: Have a good day.
12 PETERS: Thanks.
13 IRVING: You too.
14 BLOOM: We have a lady in the audience this morning
15 that would like to update us on the Verizon project,
16 the huge project we have going on right now. Good
17 morning.
18 HOWARD: Good morning.
19 IRVING: Good morning, Jane. How are you?
20 HOWARD: Thank you for the opportunity to give you a
21 brief update. My name is Jane Howard, and I'm with
22 Verizon. And, I am pleased to let you know that the
23 project is progressing well, the weather has been
24 cooperative so far, for the most part, and everyone
25 has worked with us wonderfully to work through all of
0033
1 the permitting, all of the glitches that come with a
2 project of this size. I would like to speak briefly
3 about the recent media coverage you've seen about the
4 gas lines that we hit, and then the electric outage
5 that we did have. I would like for you to know that
6 in each of those instances there--no one was injured,
7 and there was no property damage, other than very
8 minor landscaping. We already do meet with various
9 government officials every other Friday, and weekly
10 we host a conference call with representatives of all
11 of the area utilities to try and work through all of

12 these sorts of issues. We are studying the root
13 cause of what caused each of those accidents to
14 occur, and as you know, as I went about the
15 community, in making presentations, I tried to set
16 expectations that on a job of this magnitude we would
17 have some of those. But, I want to assure you that
18 we continue to watch our processes, study our
19 procedures, and communicate extensively. And, if
20 anyone has any questions we would be glad to
21 entertain those, or suggestions. I also wanted to
22 let you know that we have in Fort Wayne a very
23 special arrangement, that we have our own
24 troubleshooting center. And, so if you, or your
25 constituents, would have any questions about our
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1 fiber optic project, they should call 461-FIOS,
2 that's F-I-O-S, or 3467. In addition, we have an e-
3 mail address set up, and that address is 461-FIOS,
4 that's F-I-O-S, @verizon.com [461-FIOS@verizon.com].
5 So, we wanted to provide some means for people to
6 communicate and let us know if they're having any
7 issues or questions about it.

8 BLOOM: I'm glad to have the number, because we have
9 had calls.

10 HOWARD: Yeah, absol--I'm certain.

11 IRVING: You know, Jane, I really appreciate your
12 honesty, because we know a project of this magnitude,
13 there are going to be problems, because whenever my
14 lights go out it;s always a squirrel, "a squirrel did
15 it," you know. So, I appreciate your honesty. And,
16 we know that there's going to be problems, and--but I
17 think that they've been handled in a swift manner,
18 and--and we really appreciate your confidence in our
19 community to make this kind of expansion.

20 HOWARD: Thank you.

21 PETERS: Let me just publicly thank Jane for the
22 job--I know she--she's gone--when I've contacted her
23 regarding sporadic concerns here and there, I know
24 she's been right on it, she's gotten back with the
25 people via telephone, e-mail, or what have you, and

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1 I'm very appreciative of that because part of--part
2 of our job, the big part of our job, is problem

3 solving. And, when you can help us solve those
4 problems you make us look that much better.
5 HOWARD: We're glad to help. It's a project that's
6 very important to us at Verizon, because, as you
7 know, the fact that this market was selected to
8 receive the fiber optic is very special, it's the
9 smallest market in Verizon territory that has
10 received this--
11 BLOOM: It is?
12 IRVING: Uh-huh (affirmative).
13 HOWARD: --so we want to showcase what we're doing
14 here as well.
15 PETERS: Right.
16 HOWARD: So, we appreciate everyone's cooperation.
17 IRVING: Thank you so much, Jane. Come visit us any
18 time.
19 HOWARD: Thank you.
20 BLOOM: Okay. We need to second the--
21 PETERS: I would make a motion to approve to waive
22 the second reading on any matter approved today.
23 IRVING: I'll second that.
24 BLOOM: All in favor signify by saying "aye."
25 IRVING: Aye.

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1 PETERS: Aye.
2 BLOOM: Aye. Any comments from the public this
3 morning? (No response.) Hearing none, meeting
4 adjourned. Thank you.

6 (Adjourned 10:45 a.m.)

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1 1 STATE OF INDIANA)
2 2) SS:
3 COUNTY OF ALLEN)

3 REPORTER'S CERTIFICATE

4 I, Rhonda M. Mullholand, a Notary Public in
5 and for the State of Indiana, County of Allen, do
6 hereby certify that the above and foregoing is a true
7 and accurate transcript of the Board of Commissioners
8 of the County of Allen, Legislative Session, held on
9 April 20, 2005, 2002 in the Allen County
10 Commissioner's Courtroom, Room 200, City-County
11 Building, 1 East Main Street, Fort Wayne, Allen
12 County, Indiana; that I am not related to, employed
13 by or interested in any of the parties to this cause
14 of action.

15 IN WITNESS WHEREOF, I have hereto affixed my
16 hand and seal this 6th day of May, 2005.

17
18 18

19 19 _____
Rhonda M. Mullholand, Notary Public

Residing in Allen County, Indiana

20 20

21 21 My Commission Expires:

June 21, 2009

22 22

23

24

25