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1 STATE OF INDIANA)
)SS:

2 COUNTY OF ALLEN)

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7 BOARD OF COMMISSIONERS
8 OF THE COUNTY OF ALLEN

9 RE: LEGISLATIVE SESSION OF
10 May 11, 2005

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DATE: May 11, 2005

15
16

TIME: 10:07 a.m.

17
18

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 Marla J. Irving Allen County Commissioner
4 Nelson Peters Allen County Commissioner
5 Susan Elser Allen County Board of
 Commissioners' Office

6

- 6 Mary Hitchens Allen County Public
- 7 Information Office
- 8 John McGauley Allen County Public
- 9 Information Office
- 10
- 11 Jerry Hoffmann Aboite Independent
- 12
- 13 Mike Fitch Director, Allen County
- 14 Highway Department
- 15 G. William Fishering Allen County Counsel
- 16 Shaun Murray Allen County Legislative
- 17 Liaison
- 18
- 19 Tracy May Floyd Burroughs & Associates
- 20
- 21 Ed LaRocque Director, Emergency
- 22 Management and Homeland
- 23 Security
- 24
- 25 Bill Hartman Allen County Highway
- 26 Department
- 27 Kimberlee Adams Rolf Reporting, Inc.
- 28 Ben Lanka Journal Gazette
- 29 Kevin Leininger News Sentinel
- 30
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0003

I N D E X

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3	Presentations by:	
4		
5	Mike Fitch	10, 22
6		
7	Bill Hartman	10
8		
9	Ed LaRocque	20
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2 Agenda:

- 3
- 4 1. Approval of the Minutes of 5-04-05 7
- 5 2. Appointment to a Common Wage Committee
- 6 for Resurfacing and Renovation of the
- 7 Allen County War Memorial Coliseum
- 8 Parking Lot 7
- 9 3. Certificate of Substantial Completion for
- 10 the Allen County Juvenile Center:
- 11 ThyssenKrupp Elevator 8
- 12 4. Change Orders - Allen County Juvenile
- 13 Center 8

14 Current, Inc. - C.O. #032;

15 contract reduction (\$1,024.00)

16 Current, Inc. - C.O. #033;

17 contract addition \$7,971.00

18 Land Construction - C.O. #001;

19 contract addition \$2,883.50

20 L-A Electric, Inc. - C.O #042;

21 no change contract reduction

22 W.A. Sheets & Sons - C.O. #023;

23 contract reduction (\$ 2,111.00)

18 5. Submission of three projects to the
Indiana Department of
19 Transportation seeking matching grants
for Federal Funds 10

20
Project 1: Replace Lincoln Highway Bridge
21 over Flatrock Overflow - Bridge #162
Total Construction Costs: \$400,000
22 Requested Federal Funds: \$320,000
Local Matching Funds: \$80,000
23 Local Funds will also be used for
Preliminary Engineering costs estimated
24 at \$50,000. The acquisition of additional
right of way is not anticipated for this
25 project.

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1 Project 2: Replace Bostick Road Bridge
over St. Mary's River - Bridge #268
2 Total Construction Costs: \$900,000
Requested Federal Funds: \$720,000
3 Local Matching Funds: \$180,000
Local Funds will also be used for
4 Preliminary Engineering and Right-of-Way
Acquisition costs estimated at \$200,000.

5
Project 3: Reconstruct Coverdale Road
6 between Indianapolis Road and Airport
Expressway including the rehabilitation
7 of Bridge #231 over Robinson Creek and
replacing Bridge #232 over Suter Drain.
8 Total Construction Costs: \$2,600,000
Requested Federal Funds: \$2,080,000
9 Local Matching Funds: \$520,000
Local Funds will also be used for
10 Preliminary Engineering and Right-of-Way
Acquisition costs estimated at \$600,000
11 (\$260,000 of the local PE and ROW costs
may be used as local matching funds for
12 construction).

13 6. Transfer of Haz-Mat Truck to the City of
New Haven 20

14
7. Approval of 2006 Allen County Employee

15	Holiday Schedule	22
16	8. Approve traffic posting change for the following intersection located in	
17	Cottonwood Lakes Addition:	22
18	a) Mustang Drive @ Tumbleweed Blvd.; Post "STOP"	
19		
20	9. Approve proposal for Professional Engineering Services between A & Z Engineering and Allen County for Hand & Baird Road and Fritz & Dupont Roads Engineering Study - Total proposal	
21		
22	\$20,900.00	23
23	10. Other Business	25
24		

(Agenda continues)

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1 (Agenda continued)

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3	11. Approval to waive the 2nd Reading on any matter approved today and for which it may be deemed necessary for the	
4	Legislative Session of May 11, 2005	25

5	12. Comments from the Public	25
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1 BLOOM: Good morning, and welcome to the County
2 Commissioners Legislative Meeting of May 11th.
3 First, we're going to stand honor our country and
4 then a silent prayer, please.

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

8 BLOOM: Thank you. Approval of the Minutes of May
9 4th.

10 PETERS: I'll make a motion to approve the minutes of
11 May 4th.

12 IRVING: I'll second it.

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

14 PETERS: Aye.

15 IRVING: Aye.

16 BLOOM: Aye. Appointment to the Common Wage
17 Committee for resurfacing and renovation of the Allen
18 County War Memorial Coliseum parking lot.

19 ELSER: The name before you today for consideration
20 is Linda Bloom to serve as the taxpayer
21 representative by the legislative body of the County.

22 PETERS: I'll so move on the nomination of Linda
23 Bloom.

24 IRVING: I'll second it.

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

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1 PETERS: Aye.

2 IRVING: Aye.

3 BLOOM: Aye. Certificate of Substantial Completion
4 for the Allen County Juvenile Center with
5 ThyssenKrupp Elevator.

6 IRVING: Yes, I would like to make a no--make a
7 motion that we approve the certification as they are
8 complete on their work.

9 PETERS: I'll second that.

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

11 PETERS: Aye.

12 IRVING: Aye.

13 BLOOM: Aye. Change Orders for the Juvenile Center.
14 Change Order #032, #033. Change Order #001, Change

15 Order #042, and Change Order #023.
16 IRVING: Commissioner Bloom and Commissioner Peters,
17 we had to--I'm getting down--these are the elevator
18 ones--we had to rebuild the motor for the grinder in
19 number four. And we had to add some sump pumps
20 because we were getting back up--
21 BLOOM: In the elevators.
22 IRVING: --yes. And let me see, what was the other
23 one? The other one was a "no." The light poles were
24 a "no." No change, no change. And the delete of the
25 \$2,111.00 was the cost to delete--excuse me--the
0009

1 seeding of the detention basins because they are
2 going to have water in them.
3 PETERS: So net increase was, what, around six grand
4 [\$6,000.00] or thereabouts?
5 IRVING: No, that--that is the--
6 BLOOM: Nine minus two minus--yeah.
7 IRVING: No.
8 PETERS: Okay.
9 BLOOM: No.
10 IRVING: It was a decrease of \$2,111.00.
11 BLOOM: Yeah.
12 PETERS: Well, I was talking about--
13 BLOOM: He was doing the--
14 PETERS: --for all of them.
15 BLOOM: --the total.
16 IRVING: I didn't subtract that out.
17 PETERS: Okay. That's--
18 BLOOM: There is a deduct of \$1,024.00, an addition
19 of \$7,971.00, an addition of \$2,883.50, a no change,
20 and a deduct of \$2,111.00.
21 IRVING: So you've got approximately \$3700.00 minus
22 \$91.00--it's an approximate increase of \$6,000.00
23 BLOOM: Just what you said, Commissioner.
24 PETERS: I'll make a motion--
25 IRVING: I didn't subtract them out.

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1 PETERS: --I'll make a motion on the change orders
2 for the Allen County Juvenile Center.
3 IRVING: I'll second those.
4 BLOOM: All in favor, signify it by saying, "Aye."
5 PETERS: Aye.

6 IRVING: Aye.

7 BLOOM: Aye. Submission for three projects to the
8 INDOT to seeking bridge grants for federal funds. I
9 think we're going to take these separately. Do you
10 want to come up, please?

11 IRVING: Good morning, gentlemen.

12 FITCH: Good morning.

13 HARTMAN: Good morning.

14 IRVING: I think I saw you a little earlier, didn't
15 I?

16 FITCH: Mike Fitch, Allen County Highway Department.

17 HARTMAN: I'm Bill Hartman, Allen County Highway
18 Department.

19 BLOOM: Project 1 is to replace the Lincoln Highway
20 Bridge over Flatrock Overflow, Bridge #162. The
21 total construction is estimated at \$400,000.

22 Requested Federal Funds, 320 [\$320,000.00], and our
23 matching funds would be \$80,000.00.

24 FITCH: This project is off of the--it's not part of
25 the Bridge Bond issue. It's--it's an off--what they

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1 call a--consider off-system which means it's outside
2 the urban area.

3 BLOOM: Okay.

4 FITCH: So the State has separate bridge funds for
5 these projects.

6 BLOOM: Yes.

7 FITCH: And there are funds available. And so--so
8 Bill got with Dan Avery and were programming these
9 projects because there's an additional source of
10 funds here for these projects.

11 BLOOM: Great. Project 2, replace Bostick Road
12 Bridge over St. Mary's River, Bridge #268. Total
13 construction costs, \$900,000.00. Requested Federal
14 Funds, \$720,000.00. Local matching funds,
15 \$180,000.00. This bridge is in the Bond.

16 FITCH: Yes.

17 BLOOM: Our estimates and--repairs or replacement of
18 this was way too low. Is this not also one of our
19 bridges that could be considered in the separate
20 fund?

21 FITCH: Yes. This--this project--with the funds and
22 means available and the timing of when this

23 application had to be submitted, this--
24 BLOOM: Okay.
25 FITCH: --is kind of an opportunity here to--to--to
0012

1 fund that project.
2 BLOOM: Right.
3 FITCH: It started out, we had estimates from our
4 consultants at around \$300,000.00--
5 BLOOM: Right.
6 FITCH: --to repair the existing structure. Recent
7 reports from our consultants indicated that it was
8 going to cost over \$800,000.00 to repair--

9 BLOOM: Right.
10 FITCH: --the damage to the existing structure.
11 BLOOM: Right.
12 FITCH: We're also--got estimates from our consultant
13 that indicate that constructing a new bridge would be
14 between \$800,000.00 and \$1 million. So it's adding
15 some complexity to our decision. Do we--

16 BLOOM: Right.
17 FITCH: --do repair the existing structure, which is
18 a two-lane bridge, or build a new--or a one-lane
19 bridge to a new two-lane bridge.

20 BLOOM: Right.
21 FITCH: The problem here is we don't have the funds
22 in the--

23 BLOOM: Bond.
24 FITCH: --Bridge Bond--
25 BLOOM: No.

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1 FITCH: --for this. So we're seeking other funds--
2 BLOOM: Great.
3 FITCH: --to this.
4 BLOOM: And our matching money would only be
5 \$180,000.00--
6 FITCH: Right.
7 BLOOM: --or there--yeah.

8 FITCH: And so no decisions have been made on this
9 structure. I want to make it clear, we've made no
10 decision. We're still in the ana--analytical stage
11 here.
12 BLOOM: Right.
13 FITCH: We have essentially three options. To repair

14 the existing structure, to replace the existing
15 structure, or remove the existing structure, which
16 means eliminate the bridge. Those are the three
17 options we have to--to--that we have right now.
18 There may be a fourth out there. We're going to set
19 a meeting up with the area residents--

20 BLOOM: Absolutely.

21 FITCH: --in the near future and discuss the options.

22 There's--there's several things that we need to--to
23 make clear to the--to the citizens about the
24 structure, the amount of traffic it carries and--

25 BLOOM: Right.

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1 FITCH: --and access, safety and emergency vehicles.

2 BLOOM: Of course.

3 FITCH: So we--we've made--those are the three
4 options. We've--we've made no decisions. Hopefully
5 within the next six months, we will be able to make a
6 decision. If the decision is that we replace the
7 structure, these federal funds can be used to repair
8 the existing structure or they can be used to build a
9 new structure.

10 BLOOM: Okay.

11 FITCH: It's not--these funds do not say you have to
12 replace it. It can re--use--to be used to repair the
13 existing structure.

14 BLOOM: It's an iron truss bridge. So--

15 FITCH: The other issue here, the existing bridge--

16 BLOOM: Is it historical? When was that built?

17 HARTMAN: In the late 1800's. I don't have the exact
18 date.

19 FITCH: Yeah--but--

20 IRVING: I won't say it.

21 FITCH: Yeah, this bridge is similar to the Wells
22 Street Bridge.

23 BLOOM: Before I was born.

24 FITCH: There's only two of them in the county.

25 BLOOM: I'm sorry.

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1 FITCH: There's two structures like this. The other
2 one is the Wells Street Bridge that was re--res--you
3 know restored here several years ago. So--

4 BLOOM: I think it's historic then.

5 IRVING: Mike, I--I have two questions on this.
6 First of all, are there school buses that are going
7 over this bridge?
8 FITCH: No, the bridge has been closed for about a
9 year now.
10 IRVING: Well--okay.
11 HARTMAN: Before that, no.
12 FITCH: Yes. Before that--
13 IRVING: No?
14 FITCH: -- no.
15 IRVING: Okay.
16 FITCH: It was posted five tons--
17 IRVING: A five ton limit?
18 HARTMAN: Five ton limit, right.
19 FITCH: How many--
20 IRVING: The second thing is--
21 HARTMAN: Twelve tons is--you need at least a 12 ton
22 capacity--
23 IRVING: Right.
24 HARTMAN: --before a school bus can pass over a
25 bridge.

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1 IRVING: And this was five ton?
2 HARTMAN: Yes.
3 IRVING: Okay.
4 BLOOM: But had we not done work on this bridge
5 back--I mean, had we not done some improvements--
6 FITCH: We've done--
7 BLOOM: --on it?
8 FITCH: --we've done repairs over the years.
9 BLOOM: Okay.
10 HARTMAN: Yes, to keep it open. But it's
11 deteriorated to the point that it needs a total
12 restoration. And as Mike said, you know,
13 it's--it's--exceeds \$800,000.00 to--to--
14 BLOOM: Which we certainly did not--
15 HARTMAN: Right. It's essentially--
16 BLOOM: --plan on.
17 HARTMAN: --taking the bridge off the abutments
18 completely disassembling it, rehabilitating all the
19 parts individually, and re--
20 IRVING: Doing it.
21 HARTMAN: --reconstructing it.

22 IRVING: Mr. Hartman, before--or Mr. Fitch, who ever
23 knows the answer--before it was closed, what was your
24 traffic count on that bridge?

25 FITCH: It's around 180 to 130 cars per day.

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1 IRVING: Okay.

2 FITCH: And we went back several years through
3 different bridge reports and that--it's been--

4 IRVING: Pretty consistent?

5 FITCH: --you know, from 90 to 100. So it--

6 IRVING: Okay.

7 FITCH: --we feel those counts are fairly--fairly
8 accurate.

9 BLOOM: Okay.

10 IRVING: Well, keep us informed on this.

11 FITCH: And that's one of the issues we need to
12 discuss and analyze, you know, is the--what's the
13 cost benefit.

14 BLOOM: We have, though, in the past, maintained or
15 replaced all of our bridges.

16 HARTMAN: Yes, yes.

17 BLOOM: Especially one--

18 HARTMAN: Right.

19 FITCH: And this bridge is--

20 BLOOM: --like this.

21 FITCH: --a little--yeah, another, you know, oddity,
22 this bridge, it's 170 feet in length. So it
23 doesn't--

24 BLOOM: Less than--

25 FITCH: --it's not a major bridge.

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1 BLOOM: Yeah.

2 FITCH: So our major bridge funds can't be used for
3 this structure.

4 BLOOM: Right.

5 FITCH: If we replace the bridge, our consultant says
6 that a new bridge would probably be over 200 feet
7 which would then place it in the category of a major
8 bridge. So that's another issue to consider.

9 IRVING: Could we apply to the State for major bridge
10 funding even though it's 170 knowing that the
11 replacement would be 200?

12 HARTMAN: If we go to replacement, yes, we could use

13 major bridge funds for match money or, you know, or,
14 you know, towards the consulting fees, yeah.

15 BLOOM: We could?

16 HARTMAN: Yes. If--

17 FITCH: Right, we could use--

18 HARTMAN: --if we go that--you know, if we choose
19 that option, we could, yeah.

20 BLOOM: Project 3--oh, did you have any questions?
21 Project 3, reconstruct Coverdale Road between
22 Indianapolis Road and the Airport Expressway
23 including the rehabilitation of Bridge #231 over
24 Robinson Creek and replacing Bridge #232 over Suter
25 Drain. Total cost \$2,600,000.00. Requested Federal
0019

1 \$2,080,000.00. Our matching funds for this would be
2 \$520,000.00

3 FITCH: Again, same situation as Project 1. These
4 are off-system bridges. There are some proposed
5 projects, future projects to improve Coverdale and
6 Indianapolis Road--

7 BLOOM: Right.

8 FITCH: --and these projects--

9 BLOOM: Intersections--

10 FITCH: --would be then--

11 BLOOM: --right.

12 FITCH: --be tied in with those road improvements.

13 So we aren't spending road funding on the bridges.

14 BLOOM: Okay.

15 IRVING: I make a motion that we approve--

16 BLOOM: Yes, go for the grants.

17 IRVING: --the submission of the three projects,

18 Project 1, 2, and 3 to the Indiana Department of

19 Transportation to seek grants from federal funds.

20 PETERS: I'll second it.

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

22 PETERS: Aye.

23 IRVING: Aye.

24 BLOOM: Aye. Thank you.

25 FITCH: Thank you.

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1 HARTMAN: Thank you.

2 BLOOM: I'm going to take--I don't have--oh, transfer
3 of Haz-Mat truck to the City of New Haven. Thank

4 you. Oh, I was going to finish him. We don't have
5 all the Highway together. I'll do it later.

6 IRVING: Okay.

7 LAROCQUE: Hi.

8 BLOOM: Good morning.

9 PETERS: Good morning.

10 BLOOM: We have a truck.

11 LAROCQUE: We have a 1984 truck and trailer. It was
12 originally--in its original life, it belonged to the
13 Frito Lay Corporation. It was a delivery vehicle.

14 It was donated 20 years ago--15 years ago to the Fort
15 Wayne Allen County Haz-Mat team. It's been a reserve
16 vehicle now for several years.

17 BLOOM: Right, right.

18 LAROCQUE: It's no longer needed as a backup vehicle
19 for the Haz-Mat team. The City of Fort Wayne
20 received a separate grant for a--for a vehicle that
21 will be utilized in that capacity. The City of New
22 Haven--New Haven and Adams Township fire departments
23 requested that vehicle to be used as a--not really a
24 rescue unit, but a--but a utility vehicle that
25 can--can go to the scene of large fires and--and

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1 bring additional materials.

2 IRVING: Uh-huh (affirmative).

3 LAROCQUE: Take care of refilling air bottles and
4 things like that. So it will stay as an emergency
5 services vehicle.

6 BLOOM: And we're going to sell that to them for--

7 LAROCQUE: I believe the--

8 BLOOM: --is it--

9 LAROCQUE: --whopping sum of \$1.00.

10 BLOOM: That's what I thought. \$1.00?

11 LAROCQUE: Uh-huh (affirmative).

12 BLOOM: Okay.

13 LAROCQUE: And if New Haven--I'd be willing to--to
14 donate that dollar if New Haven--

15 PETERS: I was going to buy it myself for \$2.50.

16 LAROCQUE: Oh, they--we're going to have to start an
17 auction then, I guess.

18 PETERS: I make a motion that we sell the Haz-Mat
19 truck to the City of New Haven for the sum of \$1.00.

20 IRVING: I'll second the motion.

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

22 PETERS: Aye.

23 IRVING: Aye.

24 BLOOM: Aye.

25 LAROCQUE: Thank you very much--

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1 BLOOM: Thank you.

2 LAROCQUE: --ladies and gentlemen. Have a great day.

3 IRVING: Thank you very much, Ed.

4 BLOOM: We have communicated with the City and we try

5 to keep our holiday schedules similar if not

6 identical. And we're going to try and approve our

7 2006 Employee Holiday Schedule today. The Holiday

8 Schedule reads as January 2nd, January 16th, May

9 29th, July 4th, September 4th, November 10th,

10 November 23rd and fourth [24th], and December 25th

11 and sixth [26th]. Have you two reviewed this?

12 IRVING: Yes, we have. And that does not include the

13 three floating holidays that our employees get, which

14 gives us a total of 13, if I'm correct?

15 BLOOM: That's correct.

16 IRVING: Okay, I make a motion we approve.

17 PETERS: Second it.

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

19 PETERS: Aye.

20 IRVING: Aye.

21 BLOOM: Aye. You're up again, Mike. Mike Fitch,

22 Highway Department, again here. Approve traffic

23 posting change for the following intersection located

24 in Cottonwood Lakes Addition, Mustang at Tumbleweed,

25 a post STOP sign.

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1 IRVING: So moved.

2 PETERS: I'll second it.

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

4 PETERS: Aye.

5 IRVING: Aye.

6 BLOOM: Aye. Approve a proposal for professional

7 engineering services between A & Z Engineering and

8 Allen County for Hand and Baird road and Fritz and

9 Dupont Road engine--Roads, engineering study

10 proposal, \$20,900.00.

11 FITCH: This project is a new project. It's a study.

12 We've seen a large increase in traffic--
13 BLOOM: Uh-huh (affirmative).
14 FITCH: --on Fritz Road--
15 IRVING: Uh-huh (affirmative).
16 FITCH: --which eventually turns into Hand Road--
17 BLOOM: Uh-huh (affirmative).
18 FITCH: --with the development in the northwest part
19 of the county and the--
20 BLOOM: High school.
21 FITCH: --high school.
22 BLOOM: Yeah.
23 FITCH: This section of Fritz Road which comes off of
24 State Route 33 has in the last five years almost
25 doubled in the amount of traffic. The Dupont/Fritz
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1 Road intersection is an offset intersection of--due
2 to section lines. We'd like to realign that
3 intersection. And then north of there, of Fritz and
4 Hand and Baird Road, there's--there's two 90 degree--
5 BLOOM: They--
6 FITCH: --turns.
7 BLOOM: --turns, yeah.
8 FITCH: This is a proposal to help improve safety of
9 those--
10 BLOOM: And hopefully straighten.
11 FITCH: --of that corridor.
12 BLOOM: Yeah.
13 FITCH: Now this is just a study. This will include
14 developing some geometrics, alternate geometrics, for
15 the intersections--
16 BLOOM: Okay.
17 FITCH: --and having public meetings to get the
18 public input.
19 BLOOM: Okay.
20 PETERS: I make a motion to approve the proposal for
21 professional engineering services between A & Z
22 Engineering and Allen County.
23 IRVING: I'll second the motion.
24 BLOOM: All in favor, signify it by saying, "Aye."
25 PETERS: Aye.

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1 IRVING: Aye.
2 BLOOM: Aye. Do you have any other--

3 FITCH: That's all--
 4 BLOOM: --business this morning?
 5 FITCH: --that's all I have. Thank you.
 6 IRVING: Thanks, Mike.
 7 FITCH: Have a good day.
 8 PETERS: Thank you.
 9 IRVING: I make a motion we approve to waive the
 10 second reading of any matters today for which it may
 11 deem necessary.
 12 PETERS: I'll second it.
 13 BLOOM: All in favor, signify it by saying, "Aye."
 14 PETERS: Aye.
 15 IRVING: Aye.
 16 BLOOM: Aye. Any comments from the public this
 17 morning? If not, meeting adjourned.

18 (Adjourned at 10:24 a.m.)

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0026

1 STATE OF INDIANA)
) SS:
 2 COUNTY OF ALLEN)
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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 May 4, 2005 in the Allen County Commissioner's
 11 Courtroom, Room 200, City-County Building, 1 East
 12 Main Street, Fort Wayne, Allen County, Indiana; that
 13 I am not related to, employed by or interested in any
 14 of the parties to this cause of action.

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

17
 18 _____

Kimberlee M. Adams, Notary Public

19 Residing in Allen County, Indiana

20

My Commission Expires:

21 December 2, 2011