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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

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9 RE: LEGISLATIVE SESSION OF
10 JUNE 8, 2005

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14

DATE: June 8, 2005

15

16

TIME: 10:05 a.m.

17

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

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REPORTER: M. Joshua Osbun

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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 Commissioners'
 Office

6

- John McGauley Public Information Office
- 7
- Mary Hitchens Public Information Office
- 8
- G. William Fishering Allen County Counsel
- 9
- Shaun Murray Allen County Legislative
Liaison
- 10
- Mindy Waldron Administrator, Allen County
Department of Health
- 11
- 12
- Mike Fitch Director, Allen County
Highway Department
- 13
- Pat Crick Allen County Recorder
- 14
- Lisa Blosser Allen County Auditor
- 15
- Deepak Gandhi Global Systems, Inc.
- 16
- Stan Scheumann Global Systems, Inc.
- 17
- M. Joshua Osbun Rolf Reporting, Inc.
- 18
- Dan Stockman Journal Gazette
- 19
- Kevin Leininger News Sentinel
- 20
- James Hoffman Aboite Independent
- 21
- 22
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I N D E X

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3 Presentations by:

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Mindy Waldron	10
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Pat Crick	13
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Mike Fitch	16

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Agenda:

1. Approval of Minutes of 05/25/05 and 06/01/05 Legislative Sessions 7
2. Settlement Agreement between the United States of America and Allen County, Indiana under the Americans with Disabilities Act (Deferred) 7
3. Signature required by State for continued reporting for the Hessen Cassel Sewer Project Grant (Deferred) 8
4. Amendment to the Allen County Code Title 8 (Public Safety) Article 6 (Parking Ordinances for Allen County Property) 8
5. Addition to the Allen County Code Title 12 (financial) Article 130 (Allen County Sheriff's Department Training Fund) 9
6. Amendment to the Allen County Code Title 10 (Public Health) Article 1 (Miscellaneous Fees), Chapter 1 9
7. Appointments to the Allen County Ethics Committee 12

20

- 21 8. Approval of an Agreement between Allen
 22 County (on behalf of the Allen County
 23 Recorder's Office) and Global Systems,
 Inc. for Data Extraction, Transformation
 and Organization Services.

Total Cost - \$476,780.00 12

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9. Accept and award Bid Reference #19-05,
 2 Construction of the Union Chapel Road,
 3 Phase III, Project #01-045 to API
 Construction Corp.

Total award \$1,147,332.25
 4 (Engineer's Estimate \$1,286,398.42) 16

5

10. Approve and accept contract completion
 6 of the Berthaud Road Bridge over Gar
 Creek, Project #00-014, Bid Ref #45-04 --
 7 R.L. McCoy, Inc. was the contractor 17

8

11. Approve and accept contract completion
 9 of the Stellhorn Road and Maysville Road
 Intersection Improvement, Project #00-274,
 10 Bid Ref #21-04 -- Brooks Construction Co.,
 Inc. was the contractor 17

11

- 12 12. Approve Change Order #2 for the Homestead
 Road/Ernst Road Intersection Improvement,
 13 Project #03-189, Bid Ref #19-04 between
 Brooks Construction Co., Inc. and Allen
 14 County -- Total Change Order #2 =
 \$36,339.00 Increase 18

15

- 16 13. Approve Warranty Deed required for
 additional right of way acquisitions on
 17 Dunton Road, Project #03-250 from: 18
 18 a) Twin Eagles Development LLC

19

14. Presentation by Alex Wernher introducing
 20 the Allen County GIS website --

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15. Other business 19

22

- Amended Storm Sewer Contract for the Allen
County Juvenile Justice Center

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16. Approval to waive the 2nd Reading on any
matter approved today and for which it may
be deemed necessary for the Legislative
Session of June 8, 2005 23

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17. Comments from the Public --

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1 BLOOM: Good morning, and welcome to the
2 Commissioners Legislative Session. First we are
3 going to praise our country and a silent prayer,
4 please.
5 (At this time the Pledge of Allegiance is
6 recited, followed by a moment of silence.)

7 BLOOM: Approval of the minutes of May 25th and June
8 1st.

9 PETERS: I'll make a motion to approve the minutes of
10 May 25th and June 1st.

11 IRVING: Seconded.

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

13 NELSON: Aye.

14 IRVING: Aye.

15 BLOOM: Aye. Settlement agreement between the United
16 States of America and Allen County, Indiana under the
17 Americans with Disabilities Act.

18 IRVING: I'd like to make a motion that we defer. We
19 have not gotten the final draft, and before we pass
20 it we'd like to have the final draft, so I make a
21 motion we defer for one more week.

22 PETERS: I'll second that.

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

24 NELSON: Aye.

25 IRVING: Aye.

0008

1 BLOOM: Aye. Signature required by State for
2 continuing reporting for the Hessen Cassel Sewer
3 Project grant. This was put on here in error and
4 should be done June the 29th.

5 IRVING: I'll make a motion we defer until June 29th.

6 PETERS: I'll second it.

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

8 NELSON: Aye.

9 IRVING: Aye.

10 BLOOM: Aye. Amendment to the Allen County Code
11 Title 8 (Public Safety) Article 6 (Parking Ordinances
12 for Allen County Property).

13 ELSER: Commissioners, the Sheriff is not here, but I
14 can tell you what this is if you like.

15 BLOOM: Please.

16 ELSER: They are taking money that would have been in
17 the Sheriff's D.A.R.E. account, and we are now moving
18 it into a new fund which you will also create this
19 morning for the Sheriff's Department Training Fund.

20 The County's Parking Superintendent will still
21 continue his duties as supported by the Sheriff's
22 Department.

23 IRVING: After reviewing this and talking with the

24 Sheriff I think this is very prudent on the
25 Commissioners' part to change, and I make a motion we
0009

1 approve.

2 PETERS: I'll second it.

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

4 NELSON: Aye.

5 IRVING: Aye.

6 BLOOM: Aye. Addition to the Allen County Code Title

7 12 (Financial) Article 130 the Sheriff's Department

8 Training Fund. Is this the new fund, the training?

9 IRVING: Yes, that the new money will be going into.

10 BLOOM: The old money?

11 IRVING: Yes, and the new money, too, the revenue

12 from the parking tickets then that will be given

13 after this date.

14 BLOOM: So actually we're just closing the D.A.R.E.

15 account and opening a training account?

16 IRVING: Yes.

17 BLOOM: Okay.

18 IRVING: I make a motion we approve.

19 PETERS: I'll second it.

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

21 NELSON: Aye.

22 IRVING: Aye.

23 BLOOM: Aye. Amendment to the Allen County Code

24 Title 10 (Public Health) Article 1 (Miscellaneous

25 Fees), Chapter 1. Good morning, Mindy.

0010

1 WALDRON: Good morning.

2 PETERS: Good morning.

3 WALDRON: Mindy Waldron, Administrator of the

4 Department of Health. We are here this morning just

5 for a quick amendment to Title 10 Article 1 which is

6 our miscellaneous fees ordinance to add two sections,

7 1.4 and 1.5 to allow for the additional amount to be

8 collected on an injection of influenza and

9 meningococcal starting this year of \$3.00.

10 PETERS: Is that an additional amount or is that

11 just--are we saying \$3.00 for the first time? Was

12 there an amount being collected before?

13 WALDRON: No, there--there was not. Normally on all

14 injections we charge or we hope to charge the exact

15 amount of the vaccine that we pay, and then a \$3.00--
16 what we've come up--determined as a support staff or
17 administrative, actual injection supplies fee per
18 injection. So we have charged it for yellow fever,
19 for any--like hepatitis, tetanus, all of those, but
20 we've never had, for some reason, included for the
21 influenza, and last year was our first year issuing
22 meningococcal based on the State's new guidelines for
23 that, so we wanted to be able to charge the \$3.00
24 additional injection fee--
25 BLOOM: Right.

0011

1 WALDRON --for those as well.
2 PETERS: So what, if anything, was being charged for
3 this before?
4 WALDRON: For influenza we were charging straight
5 cost--
6 PETERS: Okay.
7 WALDRON: --of what we got, and we rounded down so it
8 would make it a \$14.00 fee versus a 14.72 [\$14.72] or
9 something like that--or 32 I think it was, so it was
10 an easy amount to charge, but we just want to be able
11 to charge equitable amount and recoup our fees for
12 Band-Aids, the needle, all those things.
13 PETERS: Right, okay.
14 BLOOM: Uh-huh (affirmative).
15 WALDRON: So we do get a--re--reduced rate. We get--
16 we negotiated a new--a reduced rate for all of our
17 vaccines through the M-Cap. It's kind of like their
18 contract with the multi-state, so we have a pretty
19 low rate on vaccines, and the \$3.00 is a pretty
20 reasonable fee for the administration.
21 PETERS: Okay.
22 WALDRON: So we just want to add it for influenza and
23 meningococcal starting this year.
24 PETERS: Well, I think just the fact that you can say
25 that second word--

0012

1 BLOOM: I agree.
2 WALDRON: Meningococcal.
3 BLOOM: Well, that's four times now. Yeah, I'm
4 impressed.
5 PETERS: I make a motion to amend Title 10 of the

6 Allen County Code, Title 10 Article 1.

7 IRVING: I'll second it.

8 WALDRON: Thank you.

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

10 NELSON: Aye.

11 IRVING: Aye.

12 BLOOM: Aye.

13 WALDRON: Thanks very much.

14 BLOOM: Thank you. Appointments to the Allen County
15 Ethics Committee.

16 ELSER: The names before you today are Thomas Ryan,
17 Susan Hoot, and Thomas Hardin.

18 PETERS: I would so move the appointments of Tom
19 Hardin, Thomas Ryan, and Susan Hoot as appointments
20 to the Allen County Ethics Committee.

21 IRVING: I will second that motion.

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

23 NELSON: Aye.

24 IRVING: Aye.

25 BLOOM: Aye. Approval of an agreement between Allen
0013

1 County on behalf of the Allen County Recorder's
2 Office and Global Systems, Inc. for data extraction,
3 transformation, and organizational services,
4 \$476,780.00.

5 IRVING: Well, good morning.

6 BLOOM: Good morning, Patty.

7 PETERS: Good morning.

8 CRICK: Good morning. That's just peanuts, right?

9 PETERS: Yeah.

10 BLOOM: Yeah.

11 IRVING: With that account you have, it is, right?

12 CRICK: Yeah, but I'm getting a little scared.

13 BLOOM: Edgy.

14 IRVING: Are you?

15 BLOOM: I know. I know.

16 CRICK: First of all, all three of you have seen
17 those little cards in my office that I have--since
18 I've been recorded for six years, been wanting to get
19 rid of them because I have no backup. Well, Global
20 is going to help me take care of that backup, and
21 since I'm responsible for those cards, this agreement
22 will make it easier, faster, more secure, more

23 accessible to find the information, plus the end
24 result will be that I can remove the cards and the
25 files, creating more space for our clients, and
0014

1 Global gave me a terrific price. I know the first
2 price he gave me, he said I was in sticker shock. I
3 about had a heart attack. But, anyway, he has
4 brought that price down so that I can have these
5 cards done, and we have had--I have had four or five
6 different vendors that I've talked to, and no one
7 wants to touch it, so--

8 IRVING: Does that make you nervous?

9 CRICK: Yeah, it sure did. And Global will, I think,
10 probably take until the end of this year to get that
11 done, so I'm excited.

12 BLOOM: And you will be so happy.

13 CRICK: I will be very excited, yes.

14 IRVING: I know the answer to this question, but I
15 would like you to state it for the record.

16 CRICK: Okay.

17 IRVING: Have you been through all of the proper
18 channels with our IT director to make sure that this
19 program is compatible and that it--

20 CRICK: No.

21 IRVING: --it--Ed has not looked at it at all?

22 CRICK: Oh, Ed? Yeah.

23 IRVING: Yeah, our--

24 CRICK: But I--

25 IRVING: --IT director.

0015

1 CRICK: --haven't gone to Data Board.

2 IRVING: Yeah, I didn't mean our Data Board, but our
3 IT director--

4 CRICK: Right.

5 IRVING: --has looked at it--

6 CRICK: Yes.

7 IRVING: --and--I did--

8 BLOOM: You don't need--

9 IRVING: --know that.

10 BLOOM: --she doesn't have to go to Data Board, does
11 she?

12 IRVING: No.

13 CRICK: No, not on this. I didn't think so anyway.

14 BLOOM: No, I think--
15 IRVING: But I know Ed--
16 BLOOM: --you're fine.
17 IRVING: --was real impressed with the program from
18 Global, and I'll make a motion we approve for
19 \$476,780.00.
20 PETERS: I'll second it.
21 BLOOM: All in favor signify by saying "aye."
22 NELSON: Aye.
23 IRVING: Aye.
24 BLOOM: Aye. This is also out of your--
25 CRICK: Perpetuation fund, 245.

0016

1 BLOOM: --and not County General?
2 CRICK: Nope.
3 BLOOM: Okay.
4 CRICK: Not a penny of it.
5 BLOOM: Thank you.
6 CRICK: Okay?
7 BLOOM: Yeah.
8 IRVING: Good luck.
9 BLOOM: Accept and award Bid Reference #19-05, Union
10 Chapel, Phase III to API Construction, total award
11 1,147,332.25 [\$1,147,332.25]. Good morning, Mike.
12 FITCH: Good morning. Mike Fitch, Allen County
13 Highway.
14 IRVING: Good morning, Mike.
15 FITCH: We received bids from four contractors. API
16 was the low bidder at \$1,147,332.25. Engineer's
17 estimate was \$1,286,398.42. The low bid was under
18 our estimate. As you can see the bids were very very
19 close.
20 BLOOM: Very competitive.
21 FITCH: The second place was almost a tie between the
22 three contractors. The Highway Department, you know,
23 recommends awarding it to API Construction.
24 IRVING: I would hope that we can watch the change
25 orders on this with the bids being so close.

0017

1 BLOOM: We will.
2 IRVING: I will remember that. Just kidding. I make
3 a motion to approve.
4 PETERS: I'll second it.

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

6 NELSON: Aye.

7 IRVING: Aye.

8 BLOOM: Aye. Approve and accept contract completion

9 of the Berthaud Road Bride over Gar Creek, Project

10 #00-014 to R.L. McCoy, Inc. That's just a

11 completion.

12 IRVING: So moved.

13 PETERS: I'll second it.

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

15 NELSON: Aye.

16 IRVING: Aye.

17 BLOOM: Aye. Approve and accept contract completion

18 of Stellhorn Road and Maysville Road intersection

19 improvement. Brooks Construction was the contractor.

20 PETERS: I'll make a motion that approve and accept

21 contract completion of Stellhorn Road and Maysville

22 Road intersection.

23 IRVING: Seconded.

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

25 NELSON: Aye.

0018

1 IRVING: Aye.

2 BLOOM: Aye. Approve Change Order #2 for the

3 Homestead Road/Ernst Road intersection improvement,

4 Project #03-189 between Brooks and Allen County.

5 Change Order #2 for an increase of \$36,339.00. Would

6 you--do you want to ask a question?

7 PETERS: No, Susan was able to answer that since last

8 time. In fact, I would make a motion to approve

9 Change Order #2 for the Homestead Road/Ernst Road

10 intersection improvement project.

11 IRVING: Seconded.

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

13 NELSON: Aye.

14 IRVING: Aye.

15 BLOOM: Aye. Approve a Warranty Deed for a right of

16 way on Dunton, Project #03-250, project--from Parcel

17 A.

18 IRVING: So moved.

19 PETERS: I'll second it.

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

21 NELSON: Aye.

22 IRVING: Aye.
23 BLOOM: Aye.
24 FITCH: That's all I have today.
25 BLOOM: Any additional?

0019

1 FITCH: No, that's all I have today.
2 IRVING: Thank you, very much.
3 FITCH: Thank you, very much.
4 BLOOM: The next thing on the agenda today is an
5 update on our--
6 ELSER: She's calling him.
7 BLOOM: Okay, great. Let's move along. We have an
8 amended storm sewer contract we need to settle here
9 between Allen County and the City for the project
10 that we're doing at the Juvenile Center.
11 IRVING: Commissioner Bloom and Commissioner Peters,
12 we have a--it's the detention basins, and the City
13 has graciously agreed there were two different ways
14 that we could have done it. The most efficient way--
15 what are you looking at me funny for?
16 FISHERING: Nuh-uh (negative). I even agreed.
17 IRVING: The most efficient way was a little bit more
18 expensive, and because we have been running very
19 close on our juvenile bond the City has agreed to be
20 a partner with us, and they have increased their
21 participation by \$30,000.00, so I'd make a motion we
22 approve.
23 BLOOM: What's the total on this?
24 PETERS: What--
25 IRVING: Susan has--I--the contract wasn't provided

0020

1 to me.
2 FISHERING: The detention basin changes totaled
3 119,000 [\$119,000.00] of which the City is
4 contributing 30 [\$30,000.00].
5 IRVING: Yes.
6 FISHERING: To maintain a concrete flow path at the
7 bottom.
8 IRVING: Right, right, versus the riprap that can--
9 FISHERING: Versus a seal--
10 IRVING: --shift and--
11 FISHERING: --riprap--
12 IRVING: --yeah.

13 FISHERING: --process.
14 IRVING: And with--
15 BLOOM: Do you have any--
16 IRVING: --the flow--
17 BLOOM: --questions on this?
18 IRVING: --of the water--
19 PETERS: Well--
20 IRVING: --from this--
21 PETERS: --yeah. Well, I mean, in--in essence what--
22 what does this do for us or what does this save us?
23 IRVING: Well, it saves us from continually doing
24 repair. Because of the force of the water that will
25 run in there from the Spy Run Creek, our other option

0021

1 if it had not been a permanent hard structure would
2 have been riprap or big, large boulders which
3 definitely would--could be moved. We have no way of
4 maintaining it as far as weed control, mowing, or
5 anything at all because you can't with the rocks
6 there. The matting that you can put down is a stop
7 measure, and in a situation like this we brought in
8 engineering resources. The best option was a little
9 more expensive one with the hard surface versus a
10 riprap situation, and the City decided that they
11 would rather have us do a permanent structure than
12 one that would continually need maintenance, so they
13 offered to participate in this project with us.
14 PETERS: Now, okay, procedurally it sounds good.
15 They've offered to participate with us, but I guess
16 this being in the City of Fort Wayne, is that
17 something to jump up and down about? That's what I'm
18 not understanding.
19 IRVING: Well, since it's our--it's our building
20 we're--as being on Plan Commission you know that
21 whenever you do construction that you are responsible
22 for your own water control.
23 PETERS: Okay.
24 IRVING: That definitely would have been our
25 responsibility--

0022

1 PETERS: Okay, I gotcha.
2 IRVING: --because of the mass amount of hard surface
3 that, not only with the enlargement of the building

4 but also with the parking lots, it's our
5 responsibility.

6 PETERS: Okay, I gotcha. And so they're up, what,
7 30%? What was the number?

8 FISHERING: A little less, 30 grand [\$30,000.00]--

9 BLOOM: A hundred and nineteen [\$119,000.00]--

10 FISHERING: --out of 119 [\$119,000.00].

11 BLOOM: --and they're paying--

12 ELSER: Thirty thousand [\$30,000.00].

13 BLOOM: --thirty [\$30,000.00].

14 PETERS: Thirty thousand [\$30,000.00].

15 BLOOM: So 25 [25%]--

16 PETERS: Okay, that's the number.

17 BLOOM: --25.

18 PETERS: I gotcha. Okay, fine. I understand now,
19 and I appreciate the explanation. I'll second it.

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

21 NELSON: Aye.

22 IRVING: Aye.

23 BLOOM: Aye. Alex Wernher was giving us an update on

24 the County GIS website, and he's gathering additional

25 information and would prefer doing this next week, so

0023

1 we're just going to put him on there next week for

2 the presentation. We have some additional

3 information that we're putting on the GIS website,

4 and it's going to be a really good thing, and we'll

5 get that update next week.

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

7 second readings on any matters that were approved

8 today in which it may deem necessary.

9 PETERS: I second that.

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

11 NELSON: Aye.

12 IRVING: Aye.

13 BLOOM: Aye. Any concerns this morning from the

14 public that they'd like to discuss with us? (No

15 response). Hearing none, meeting adjourned.

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18 (Adjourned 10:25 a.m.)

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

3
4 REPORTER'S CERTIFICATE

5 I, M. Joshua Osbun, 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 June 8, 2005 in the Allen County Commissioners'
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 10th day of June, 2005.

17
18

19 M. Joshua Osbun, Notary Public
20 Residing in Allen County, Indiana

21 My Commission Expires:
21 May 14, 2010