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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 JUNE 30, 2004
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15 DATE: June 30, 2004
16

17 TIME: 10:05 a.m.
18

19 LOCATION: Room 200
Commissioners Courtroom
20 City-County Building
1 East Main Street
Fort Wayne, Indiana 46802
21
22

23 REPORTER: M. Joshua Osbun
24
25

0002

1 PRESENT:
2 Edwin J. Rousseau Allen County Commissioner
3 Marla J. Irving Allen County Commissioner
4 Linda K. Bloom Allen County Commissioner
5 Susan Elser Allen County Commissioners'
 Office
6
7 John McGauley Public Information Office
8
9 Mary Hitchens Public Information Office
10
11 Al Frisinger Allen County Surveyor
12
13 Larry Weber Allen County Surveyor's
 Office
14
15 Lisa Blosser Allen County Auditor
16 Bruce Little Allen County Purchasing
17 David Fiess Allen County Department of
 Health
18
19 Alex Wernher Director, iMAP
20
21 Scott Federoff Federoff Law Firm
22
23 Miguel Trevino DLZ, Inc.
24
25

18 Michelle Wood Allen County Department of
19 Mike Fitch Planning Services
20 Director, Allen County
21 Highway Department
22 M. Joshua Osbun Rolf Reporting, Inc.
23 Ben Lanka Journal Gazette
24 Kevin Leininger News Sentinel
25 Jerry Hoffmann Aboite Independent
0003 James Hoffman Aboite Independent
1 Jessie Wells WISE-TV

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Agenda:

1. Approval of Minutes of 06/23/04 Legislative Session 8
2. Rezoning Petition 1521/04: Petition to rezone property and approve a primary plat and development plan for the development of a 171-lot single-family subdivision. The 70.10 acre site is located on the east side of the 1400 through 1900 blocks of West County Line Road. Present zoning is A-1/Agricultural. Proposed Zoning is RSP-1/Planned Single-Family 8, 19
3. Rezoning Petition 1522/04: Petition to rezone additional property and to amend the primary development plan for a regional shopping center, including approximately 154,000 square feet of multi-tenant building space and seven building outlots. The site is located on the south side of the 10150 through 10300 blocks of Maysville Road. Land area consists of the following: 0.57 acres for rezoning and 50.67 acres for development plan. Present zoning is C-2D/Regional Shopping Center and A-1/Agricultural. Proposed zoning is C-2D/Regional Shopping for 0.57 acres 18
4. Addendum to the Allen County Mileage Reimbursement Policy. 9
5. Ratification of Supplemental Agreement #2 between INDOT and Allen County regarding the Durnell Drain 10
6. Approve of the proposed agreement between Maximus, Inc. and the County of Allen for central services cost allocation plan, which identifies the various costs incurred by the County to support and administer

4	Federal and State programs	11
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6	7. Approval of contract between Border Energy and Allen County for natural gas	13
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9	Fort Wayne-Allen County Department of Health: 2 TerraSync Version Upgrades \$ 390.00/ea. Total \$1909.98	
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11	9. Approve contract with the City of New Haven for the purchase of GIS Data to support their operations - \$16,170.00	15
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14	10. Approve Change Order #2 for Project #01-045, Union Chapel Road Phase II, Bid Reference #23-03, between Fleming Excavating, Inc. and Allen County -- \$5,681.07 DECREASE	16
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17	11. Approve traffic posting changes for the following locations:	17
18	a) Union Chapel Road @ Tonkel Road -- Remove STOP sign, new traffic signal activated June 25, 2004 @ 9:00 a.m.	
19		
20	b) Drakes Bay Run @ Sea View Cove -- Post STOP sign. This will complete a 3-way stop intersection.	
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23	12. Other business	--
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2	13. 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 30, 2004	27
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5	14. Comments from the Public	--
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0008

1 ROUSSEAU: Good morning, this is the Commissioners
2 Legislative Session, Wednesday, June 30th, and we
3 will begin by honoring our country with the Pledge of
4 Allegiance, and then we will have a moment of
5 silence.

6 (At this time the Pledge of Allegiance is
7 recited, followed by a moment of silence.)

8 ROUSSEAU: Thank you.

9 IRVING: Thank you.

10 ROUSSEAU: We have the approval of the minutes of the
11 June 23rd meeting.

12 BLOOM: So moved.

13 IRVING: Seconded.

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

15 BLOOM: Aye.

16 IRVING: Aye.

17 ROUSSEAU: Aye. Rezoning Petition. Do we have
18 anybody representing the Plan Commission? Rezoning
19 Petition 1521/04, petition to rezone property and
20 improve primary plat and development plan for the
21 development of 171 single-family subdivision.

22 BLOOM: Don't we need someone here from--

23 IRVING: Yeah, could--

24 ELSER: She's calling.

25 BLOOM: Okay.

0009

1 IRVING: Why don't we put this off till the end of
2 the meeting.

3 BLOOM: I would appreciate it.

4 IRVING: They may be running a little late.

5 ROUSSEAU: All right. We will start, then, with
6 number four which is the addendum to the Allen County
7 Mileage Reimbursement Policy.

8 ELSER: Commissioners, you approved increasing the
9 reimbursement to 36 cents [\$0.36] on June 16th, but
10 we did not, at that time, set an effective date. The
11 effective date, if you approve today, will be July
12 1st, 2004.

13 BLOOM: So moved.

14 IRVING: Seconded.

15 ROUSSEAU: All in favor signify by saying "aye."

16 BLOOM: Aye.

17 IRVING: Aye.

18 ROUSSEAU: Aye. Declared passed. Ratification of a
19 Supplemental Agreement #2 between INDOT and Allen
20 County regarding Durnell Drain. Do we--are we
21 capable of handling that one at this point?

22 ELSER: Mr. Frisinger is here for that.

23 IRVING: Good timing, Al.

24 BLOOM: Good morning, Al.

25 FRISINGER: Good morning. What you have before you

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1 is--well, Al Frisinger, Allen County Surveyor. What
2 you have before you is the Supplemental Agreement for
3 the extension of contract time on the work we're
4 doing on the Durnell Drain in the Inverness Hills
5 subdivision. We're about probably 85, 90% done. We
6 just needed a little extra time, and INDOT graciously

7 has agreed to allow for this.
8 BLOOM: We knew this. I'll make a motion that we do
9 Supplemental Agreement #2 with INDOT and Allen
10 County.
11 IRVING: I'll second that motion--
12 ROUSSEAU: All--
13 IRVING: --and does that make the project to be
14 completed--
15 BLOOM: Thirty [30]--
16 IRVING: --by August--
17 BLOOM: --30 days--
18 FRISINGER: Forty-five [45], I think.
19 BLOOM: --longer--45.
20 FRISINGER: August 15th, yes.
21 IRVING: Okay. I seconded the motion.
22 ROUSSEAU: All in favor signify by saying "aye."
23 BLOOM: Aye.
24 IRVING: Aye.
25 ROUSSEAU: Aye.

0011

1 FRISINGER: Thank you.
2 ROUSSEAU: Declared passed.
3 IRVING: Thank you.
4 ROUSSEAU: Thank you.
5 BLOOM: Thanks, Al.
6 ROUSSEAU: Do you have anything else, Al?
7 FRISINGER: No, I don't, sir.
8 ROUSSEAU: All right. Thank you, sir. Approval of
9 the proposed agreement between Maximus, Inc. and the
10 County of Allen for central services cost allocation
11 plan, which identifies the various costs incurred by
12 the County to support and administer federal and
13 state programs.
14 BLOSSER: Good morning.
15 BLOOM: Good morning.
16 IRVING: Good morning.
17 BLOSSER: Lisa Blosser, Allen County Auditor. You
18 have before you a renewal agreement with Maximus.
19 They prepare our cost allocation plan, and that helps
20 us to recover the administrative cost of federally-
21 sponsored programs.
22 BLOOM: So moved.
23 IRVING: Seconded.
24 ROUSSEAU: All in favor signify by saying "aye."
25 BLOOM: Aye.

0012

1 IRVING: Aye.
2 ROUSSEAU: Aye. Declared passed.
3 BLOOM: This is the company that--
4 BLOSSER: Thank you.
5 BLOOM: --provides service to all 92 counties, and it
6 is strictly a reimbursement. We pay no money out of
7 County General. They apply for this money, and they
8 take a portion of it.
9 ROUSSEAU: Does this have to have more than one
10 signature?
11 BLOOM: I would.
12 BLOSSER: Just one.
13 IRVING: Yes. Oh, I'm sorry.
14 ROUSSEAU: You say no?

15 BLOOM: Do it. Go ahead.
16 ROUSSEAU: Did you say no?
17 BLOSSER: It just needs one signature, the president.
18 ROUSSEAU: Okay, well, I started it. We'll--thank
19 you.
20 BLOSSER: Thanks.
21 IRVING: It's always more efficient when all three of
22 us sign it.
23 ROUSSEAU: Yeah.
24 IRVING: Besides, why should I get writer's cramp but
25 not the other two, true?

0013
1 BLOOM: Go ahead.
2 ROUSSEAU: Approval of contract between Border Energy
3 and Allen County for natural gas.
4 IRVING: Good morning, Bruce.
5 BLOOM: Good morning, Bruce.
6 IRVING: Welcome back.
7 LITTLE: Good morning, Commissioners. Thank you.
8 It's good to be back. Earlier this year the county
9 joined a purchasing consortium formed by several
10 county school districts for the purpose of combines
11 purchasing of natural gas. We--we're using the
12 services of a consulting group, Maverick Energy, and
13 with their help we have contracted with a natural gas
14 supplier, Border Energy, and today I'm asking that
15 the commissioners sign the contract for us to begin
16 purchasing our natural gas from Border Energy.
17 ROUSSEAU: I assume this is hope for cost savings to
18 do this?
19 LITTLE: Absolutely.
20 ROUSSEAU: And we're joining with what the city and
21 the school board and everything else?
22 LITTLE: With the Fort Wayne Community Schools,
23 Southwest Allen, I believe Northwest Allen, the City
24 of Fort Wayne, we're all combining under the one
25 contract.

0014
1 BLOOM: So moved.
2 IRVING: Seconded.
3 ROUSSEAU: All in favor signify by saying "aye."
4 BLOOM: Aye.
5 IRVING: Aye.
6 ROUSSEAU: Aye.
7 LITTLE: Thank you.
8 BLOOM: Good job, Bruce.
9 ROUSSEAU: Hardware/software request for the Fort
10 Wayne-Allen County Department of Health.
11 BLOOM: Good morning.
12 FIESS: Good morning. David--
13 IRVING: Good morning.
14 FIESS: --David Fiess, Department of Health,
15 requesting two TerraSync Version Upgrades for our two
16 new recon units for GIS GPS work.
17 BLOOM: So moved.
18 IRVING: Okay, this has been approved by the iMAP
19 board?
20 FIESS: Yes.
21 IRVING: But it doesn't need to go to the DataBoard?
22 BLOOM: Correct. These are just all upgrades for
23 departments that are using GIS but also doing

24 upgrades--

25 IRVING: Okay, seconded.

0015

1 BLOOM: --information.

2 IRVING: I had not seen that second--

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

4 BLOOM: Aye.

5 IRVING: Aye.

6 ROUSSEAU: Aye. Declared passed.

7 FIESS: Thank you.

8 IRVING: Thank you.

9 BLOOM: Thank you.

10 ROUSSEAU: Approve a contract with the City of New
11 Haven for the purchase of GIS data and to support
12 their operations--

13 IRVING: Good morning, Alex.

14 ROUSSEAU: --for \$16,170.00.

15 WERNHER: Good morning, Commissioners. My name's--

16 IRVING: Good morning. How are you?

17 WERNHER: Good. Alex Wernher, director of iMAP, and
18 I'm here with a--a great partnership that we are
19 going to enter into with the City of New Haven. They
20 are purchasing all of our data layers for the
21 sections around their city, and--

22 BLOOM: Fantastic. Another--another customer. This
23 is great. So moved.

24 IRVING: Seconded.

25 ROUSSEAU: All in favor signify by saying "aye."

0016

1 BLOOM: Aye.

2 IRVING: Aye.

3 ROUSSEAU: Aye.

4 IRVING: You're doing a great job, Alex.

5 ROUSSEAU: Thank you, sir.

6 WERNHER: Thank you. Thank you very much.

7 ROUSSEAU: Approve Change Order #2 for Project #01-
8 045, Union Chapel Road Phase II, Bid Reference #23-
9 03, between Fleming and Allen County--

10 BLOOM: It's a--

11 ROUSSEAU: --\$5,681.07 decrease.

12 BLOOM: --we have had good news out there not bad
13 news, and so there is a decrease of 5681.07

14 [\$5681.07]--

15 IRVING: So--

16 BLOOM: --I'll--

17 IRVING: --moved.

18 BLOOM: --make a motion that we--second.

19 ROUSSEAU: All in favor signify by saying "aye."

20 BLOOM: Aye.

21 IRVING: Aye.

22 ROUSSEAU: Aye. Declared passed.

23 BLOOM: Thank you, Marla.

24 IRVING: Well, I--I didn't get in there pretty soon,
25 you're just Johnny-on-the-spot. You must have had

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1 your Wheaties this morning.

2 ROUSSEAU: That'd be Linda-on-the-spot.

3 IRVING: Uh-huh (affirmative). Yeah.

4 ROUSSEAU: Approve traffic posting changes for the
5 following locations: Union Chapel Road at Tonkel

6 Road, remove STOP sign, new signal activated on June
7 25, 2004.

8 BLOOM: Yes, it is. So moved.

9 IRVING: Seconded.

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

11 BLOOM: Aye.

12 IRVING: Aye.

13 ROUSSEAU: Aye. There is a Drakes Bay Run at Sea
14 View Cove, post STOP sign. This will complete a
15 three-way stop intersection.

16 IRVING: So moved.

17 BLOOM: Second.

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

19 BLOOM: Aye.

20 IRVING: Aye.

21 ROUSSEAU: Aye. Are there any other--

22 BLOOM: Michelle.

23 ROUSSEAU: --items of business?

24 IRVING: Well--

25 ELSER: Michelle--

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1 BLOOM: Michelle just--

2 ELSER: --is here now.

3 BLOOM: --came in so we can do this.

4 ROUSSEAU: All right. Oh, there she is.

5 BLOOM: Good morning.

6 IRVING: I apologize. I was out of town on Monday
7 and Tuesday and I don't have all my paperwork--

8 WOOD: Oh, that's okay.

9 IRVING: --in front of me. If I feel uncomfortable
10 on either one of these I'm going to let you know
11 because I did not have a chance to review this.

12 BLOOM: Review it? Okay.

13 IRVING: So--I remember the one distinctly and the
14 other one I'm--I think there was some discussion on,
15 so, if possible, can we do number three and then do
16 number two?

17 ROUSSEAU: 1522/04.

18 WOOD: This is for Maysville Point amended. You
19 recently saw this earlier in the year. This is for
20 the shopping center on the south side of Highway 37,
21 Maysville Road, just to the east--excuse me--just to
22 the west of Chapel Ridge, and on your aerial you can
23 see this area outlined. The entire area, some 50
24 acres, has already been rezoned C-2D which is
25 regional shopping center. This petition in front of

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1 you is just to add about half an acre, .57 acres, to
2 this overall shopping center proposal. The--the
3 Niccum property which was kind of the corner. It's
4 an odd-shaped lot on the corner of Maysville and the
5 Chapel Ridge entrance, so that would have been an
6 outlot in the original proposal. This just cleans it
7 all up. They'll now have a square outlot on that
8 corner. This was a unanimous recommendation for
9 approval.

10 BLOOM: Yeah, this is good.

11 IRVING: This and there's just one more small little
12 piece there that's not part of the big plan. I'll
13 make a motion that we approve this.

14 BLOOM: Second.

15 ROUSSEAU: All in favor signify by saying "aye."
16 BLOOM: Aye.
17 IRVING: Aye.
18 ROUSSEAU: Aye. Declared passed. And then--
19 BLOOM: Yeah, what's this--
20 ROUSSEAU: --we have--
21 BLOOM: --Harrison Fields?
22 ROUSSEAU: --Rezoning Petition 1521.
23 WOOD: Yes. This is for primary plat and development
24 plan named Harrison Fields. This is off of West
25 County Line Road and just north of Covington Road.

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1 If you're familiar with Jonathon's Landing and
2 Bridgewater, this is kind of to the northwest of
3 those two subdivisions, and it is not at this time
4 proposed to be connected to them. They don't have--
5 BLOOM: Any stubs?
6 WOOD: Right. There's no stubs to connect into now.
7 However, their plan does have a stub street to the
8 east so that if Bridgewater were to expand to the
9 north, if Jonathon's Landing were to expand, or if
10 this subdivision expanded on they would all
11 eventually connect. You might recall in 2002 the
12 Plan Commission and the commissioners rezoned
13 property for a commercial center where Noyer Road
14 dead ends into State Road 14. It's a little
15 northeast of this property. So if this is approved
16 all this will then become one large development.
17 There are some--there is some ag land left, but this
18 can all eventually connect together.
19 BLOOM: A hundred and seventy-one [171] properties on
20 70 acres, 2.3 units per acre density.
21 WOOD: That's--
22 BLOOM: Okay, what--does this only have one entrance,
23 then?
24 IRVING: Commissioner Bloom, if you look at the last
25 page--I remember now. That's--I needed a chance to

0021
1 review--this is in--
2 BLOOM: Is there only one entrance?
3 WOOD: They are proposing two entrances.
4 IRVING: No, there's two. Look at your--look at--
5 WOOD: Go to--
6 IRVING: --the very--
7 WOOD: --the last page.
8 IRVING: --last page, Commissioner Bloom.
9 BLOOM: The reason I'm asking is because if they're
10 not stubbing--
11 IRVING: Well, they are stubbing. There is a stub
12 street. This is--
13 BLOOM: Well, I don't--
14 IRVING: --a new--
15 BLOOM: --see it.
16 IRVING: Well, look over--
17 BLOOM: I see it to the east there--
18 IRVING: Right.
19 BLOOM: --but, I mean, it's stubbing into nothing.
20 IRVING: Well, but that's what happens a lot when--
21 when you have--this is a firm out of Indianapolis. I
22 did not get a chance, because there was only a week

23 between, but they have done--there's one or two of
24 them, is it in Carmel or Noblesville?
25 WOOD: Carl Fisher's area?

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1 IRVING: Yeah, yeah. Carl Fisher's area.
2 WOOD: There are two existing subdivisions that are
3 built under the same concept as this one, and I can
4 go into that a little bit if you--
5 IRVING: Yeah, would you--
6 WOOD: --would like.
7 IRVING: --like to, because this is a different
8 concept--
9 BLOOM: And I can see this.
10 IRVING: --that really has its--its got a lot of
11 walking trails through it.
12 BLOOM: They're calling it a cove design--
13 IRVING: Yes.
14 BLOOM: --to reduce parked cars vision.
15 WOOD: Right. The way this looks in--in the field,
16 they play with the front set-back and also with the
17 way you situation the homes, so in our typical
18 subdivision, you have, say, a minimum 30-foot set-
19 back from the road right of way--
20 BLOOM: Right.
21 WOOD: --and builders generally put the homes all on
22 that building line, so--so you have--the front of the
23 homes are all pretty much lined up down the street,
24 and then, more than likely, they're going to be
25 parallel or perpendicular to the street, so you have

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1 this kind of row effect. In this design, they play
2 with the building set-backs so some are further back.
3 Especially on curves they might set the house further
4 back creating a larger front yard and then angle the
5 homes so that you're never staring--like, if you look
6 across the street you're not staring directly into
7 someone's garage or into--
8 BLOOM: Uh-huh (affirmative).
9 WOOD: --their front bay window, what have you.
10 BLOOM: It sounds neat.
11 WOOD: They're a little--they're set a little bit
12 different so you always have a different angle, and
13 then also in this design the lots are wide enough so
14 that some of the lots could have side-loaded garages
15 as opposed to the typical front-loaded garage that's
16 out in front of the entry.
17 BLOOM: Uh-huh (affirmative).
18 IRVING: And they also created, if I remember right,
19 Michelle, that, if you notice, there's one, two,
20 three, four--there's five, six, seven ponds in this
21 drainage retention.
22 WOOD: That's correct. They've split up the ponds so
23 that they're more like features rather than one
24 primary detention area.
25 IRVING: It was--it was pretty exciting. It fact,

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1 some of the other developers that were there were
2 excited over this con--this complex, too, and I--as I
3 said, I did not have a chance to go and look at this,
4 but we have one of the members on Plan Commission
5 that did, and it's a--I think it's going to be a real

6 asset--

7 BLOOM: I think it sounds--

8 IRVING: --to our community.

9 BLOOM: --interesting. I can't wait.

10 IRVING: So I would like to a motion that we approve.

11 BLOOM: What's--what's the 25-foot front set-back?

12 WOOD: They--they plan to use less than 20% of the
13 lots to have a 25-foot front yard set-back. The Plan
14 Commission has approved a 25 front yard on other
15 projects. They also are looking at some villa lots,
16 up to 35 villa lots. This just allows them that
17 flexibility. It's--it's not uncommon for the Plan
18 Commission to approve the 25 front set-back. And,
19 again, it's not for all the lots. It'd be less than
20 20%.

21 BLOOM: No, not if they're angling the--yeah.

22 WOOD: Right. It just gives them a little
23 flexibility--when--to set up this coving effect.

24 BLOOM: I'll second.

25 ROUSSEAU: All in favor signify by saying "aye."

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1 BLOOM: Aye.

2 IRVING: Aye.

3 ROUSSEAU: Aye. Declared passed.

4 BLOOM: I'll be anxious to see this.

5 IRVING: Yeah, it's--

6 BLOOM: I--I've never seen this--

7 WOOD: It--and I do--

8 BLOOM: --concept.

9 WOOD: --have maps. If any of the commissioners want
10 I can get you maps to get to the--if you're ever in
11 the area, to look at those existing subdivisions.

12 BLOOM: Great.

13 IRVING: They brought up--their presentation, I
14 thought, was extremely interesting. You know, they
15 brought up on--and you being a real estate agent you
16 probably know that most of the time that we're not
17 building windows on the sides of houses because, you
18 know, you're staring--

19 BLOOM: Looking in on--

20 IRVING: --right into your neighbors because
21 everything's in a row. They want to give--they
22 believe in a lot of--of open area. They believe in a
23 lot of windows, and that's why they have this
24 staggered effect, so people can have windows on all
25 sides of their houses.

0026

1 BLOOM: Sounds great.

2 IRVING: So it's an interesting concept. We'll be
3 anxious to see how it develops.

4 ROUSSEAU: Is that Gillmore that was doing it?

5 IRVING: No, it's a firm out of Indianapol--no,
6 Minnesota.

7 WOOD: There's a local investor--a local investor,
8 but it's Minnes--Minneapolis--

9 IRVING: Minneapolis.

10 WOOD: --is where this designer--he's a room planner,
11 and it's Rick Harris Designs--Harrison, excuse me,
12 Harrison Fields. But he's been doing this for the
13 last 15 or so years across the country, and we--we

14 could probably get his PowerPoint presentation from
 15 him if you'd like to see it, but--it's interesting.
 16 IRVING: Yeah, it's--yes, it really is.
 17 BLOOM: Terrific. Thank you.
 18 IRVING: Different concept.
 19 WOOD: Okay, thank you.
 20 IRVING: Thank you.
 21 WOOD: I apologize for being late.
 22 IRVING: That's okay. I just got back from being in
 23 North Carolina, and I--
 24 BLOOM: You've told us--
 25 IRVING: --I was a little--

0027
 1 BLOOM: --six times.
 2 IRVING: --unsure. Well, I'm apologizing. I do that
 3 a lot.
 4 WOOD: Thank you.
 5 ROUSSEAU: Are there any other points of interest,
 6 Susan?
 7 ELSER: I have no other points of interest.
 8 IRVING: I'd like to make a motion that we approve--
 9 that we waive the second reading on any matters
 10 approved today for which it may be necessary.
 11 BLOOM: Second.
 12 ROUSSEAU: All in favor signify by saying "aye."
 13 BLOOM: Aye.
 14 IRVING: Aye.
 15 ROUSSEAU: Any comments from the public? (No
 16 response.) Being none, meeting adjourned.
 17 IRVING: Thank you.

18
 19
 20 (Adjourned 10:24 a.m.)
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 22

23 * * *
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0028
 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 30, 2004 in the Allen County
 11 Commissioners' Courtroom, Room 200, City-County
 12 Building, 1 East Main Street, Fort Wayne, Allen
 13 County, Indiana; that I am not related to, employed
 14 by or interested in any of the parties to this cause
 15 of action.

16 IN WITNESS WHEREOF, I have hereto affixed my
 17 hand and seal this 14th day of July, 2004.
 18
 19

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

21

My Commission Expires:

22

May 14, 2010