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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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RE: LEGISLATIVE SESSION OF
 JULY 6, 2005

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DATE: June 6, 2005

15
16

TIME: 10:03 a.m.

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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
- Mike Fitch Director, Allen County
Highway Department
- 10
- Alex Wernher Director, Allen County GIS
- 11
- M. Joshua Osbun Rolf Reporting, Inc.
- 12
- Dan Stockman Journal Gazette
- 13
- Cindy Larson News Sentinel
- 14
- Jerry Hoffman Aboite Independent
- 15
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I N D E X

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3	Presentations by:	
4		
5	Alex Wernher	7
6		
7	Mike Fitch	12
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9	G. William Fishering	24

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Agenda:

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3 1. Approval of Minutes of 06/29/05
Legislative Session 7

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5 2. Hardware/Software Request:
Allen County GIS 7

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- a. 8 Dell workstation PC's for the iMap Team. Total cost - \$25,424.56
- b. 10 Quantum Super DLT Tape II. The cost of these tapes is \$907.50
- c. 2 Imation 1 GB Flash Drives. The cost for these drives is \$200.00 and will be used to carry files for technical support by iMap team members

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12 3. Certificate of Substantial Completion -
Allen County Juvenile Center 11

13 a. W.A. Sheets & Sons, Inc.
(Sitework/Concrete)

14

15 4. Approve Warranty Deed required for
additional right of way acquisition to
16 Allen County on Coldwater Road - Phase I,
Project #03-120 from: 12

17

18 a) Parcel 20 - Terry L. Wiedemann and
Julie A. Wiedemann

19

20 5. Approve Warranty Deed required for
additional right of way acquisitions to

Allen County on Monroeville Road Bridge
over Bohnke Ditch (Bridge #278), Project
#00-031 from: 12

a) Parcel 5 - John H. Salway and Jean A.
Salway

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6. Approve and award Bid Reference #21-05,
2 Construction of the 2005 HMA Resurface
3 Package #2 to Wayne Asphalt and
4 Construction Co., Inc. -- Total award
\$175,484.25 (Engineer's estimate was
5 \$221,911.00). The streets to be
resurfaced in this package include: 13

- a) Project #05-198, Edgebrook Drive, from
6 Rosewood Drive to West Jefferson Blvd.
- b) Project #05-199, Rosewood Drive, from
7 Aboite center Road to cul-de-sac
- c) Project #05-200, Winchester Road, from
8 Poe Road to Simmerman Ditch
- d) Project #05-201, North Clinton Street,
9 from Fort Wayne City Limits to Mayhew
Road
- e) Project #05-220, Whispering Creek trail,
10 from Aboite Center Road to cul-de-sac
- f) Project #04-249, Donna Lynn Lane, from
11 Old Lima Road to cul-de-sac

12
13 7. Approve and award Quotation Bid for 2005
14 Concrete Pavement Repair Package #4 -
15 Southwest, (Streets in Scotia Addition,
16 Forest Ridge Addition, Haverhill Addition,
and Aboite Lake Estate Addition), Project
#05-240 to G.E. Minear Construction --
total award \$48,835.35 (Engineer's
17 estimate was \$61,781.40 14

18 8. Approve Traffic Posting changes to the
following streets 20

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a) First Street -- Post NO PARKING HERE TO CORNER

b) Hoagland Road -- Post NO PARKING HERE TO CORNER

9. Approve Encroachment Report for placement of Fiddler's Creek entry sign within the median located on Acacia Passage @ Wheelock Road, as requested by Fiddler's Creek Community Association, Inc 22

10. Approve Encroachment Report for placement of Chapman's Bridge entry sign within the median located on Chapman's Blvd. @ Wheelock Road, as requested by Chapman's Bridge Community Association, Inc 22

11. Other business
- Settlement agreement and general release for a Highway Department employee 24

12. Approval to waive the 2nd Reading on any matter approved today and for which it may be deemed necessary for the Legislative Session of July 6, 2005 25

14. Comments from the Public --

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1 BLOOM: Good morning, and welcome to the
2 Commissioners Legislative Session, July 6th. Today
3 is July 6th already. First we're going to
4 commemorate our country and a silent time.

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

7 BLOOM: Thank you. Approval of the minutes of June
8 29th.

9 PETERS: I make a motion to approve the minutes of
10 June 29.

11 IRVING: Seconded.

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

13 PETERS: Aye.

14 IRVING: Aye.

15 BLOOM: Aye. Hardware/Software request from Allen
16 County GIS. Good morning, Alex.

17 WERNHER: Good morning, Commissioners.

18 PETERS: Good morning.

19 IRVING: Good morning, Alex.

20 WERNHER: How are you? My name's Alex Wernher. I'm
21 Allen County's GIS director, and I have actually
22 three requests here for different types of hardware.
23 The first and largest is for eight workstation PCs.
24 These are workstation-level PCs. They're through
25 Dell, so we have the State QPA, but they are--have

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1 pretty high processors, a lot of RAM, and the reason
2 that I am pursuing these PCs for our team is to
3 handle large data sets, do a lot of analysis, and
4 they need PCs that can process things efficiently and
5 quickly for our internal customers and for the
6 public. Each machine is a little over \$3100.00 for a
7 total cost of \$25,424.00.

8 The second two items, one is just a set of 10
9 back-up tapes for our data sets. We have back-up
10 tapes in place right now, but they're filling up, so
11 it's time to get some additional tapes.

12 And then the third item are just little flash
13 drives that you can use that hold one gigabit worth
14 of data, and the team would use those to transport

15 data or technical--for technical support, basically,
16 when there's problems in our clients. Those are--
17 BLOOM: The workstations--
18 WERNHER: Uh-huh (affirmative).
19 BLOOM: --did we trade in the other ones or did we
20 find new users?
21 WERNHER: We still have the--our existing workstation
22 PCs. Those can be handed out. Actually, I was
23 thinking about using some of them for the public
24 terminals--
25 BLOOM: Okay.

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1 WERNHER: --for different departments, and I forgot,
2 too, each of these items was approved by the iMap
3 Board--
4 BLOOM: Yes.
5 WERNHER: --in their June 27th meeting, and the funds
6 for this would come out of Fund 771.
7 PETERS: Do these--
8 BLOOM: Thank you.
9 PETERS: --all have to go through DataBoard--
10 BLOOM: No.
11 PETERS: --or--that's--
12 BLOOM: No.
13 PETERS: --not part of the process?
14 BLOOM: No.
15 WERNHER: But--
16 BLOOM: These--
17 WERNHER: --Ed Steenman is on our board, and he's
18 reviewed these.
19 PETERS: Represents them, too.
20 BLOOM: Who is?
21 WERNHER: Ed Steenman.
22 BLOOM: Right.
23 IRVING: Basically with the--the reason things go
24 through DataBoard is to make sure that they're
25 compatible in an oversight as far as the projection

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1 we have in the future, and with Ed sitting on the
2 iMap Board and Linda usually the GIS things do not go
3 through.
4 PETERS: Okay.
5 IRVING: With that I'd like to make a motion that we

6 approve A, B, and C.
7 PETERS: I'll second it.
8 BLOOM: All in favor signify by saying "aye."
9 PETERS: Aye.
10 IRVING: Aye.
11 BLOOM: Aye.
12 WERNHER: Thank you, Commissioners.
13 IRVING: Have a--
14 BLOOM: Thank you.
15 IRVING: --wonderful week.
16 WERNHER: All right, you, too.
17 IRVING: By the way, Alex, hearing lots and lots of
18 positives--
19 BLOOM: Kudos, oh yeah.
20 IRVING: --since the--it just escaped my--
21 ELSER: Web site.
22 IRVING: --on the website, the--I--
23 ELSER: iMap.
24 WERNHER: The iMap.
25 IRVING: --yeah, the iMap on our web site. In fact I
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1 ran into--
2 BLOOM: Oh, yes.
3 IRVING: --a couple real estate agents--
4 WERNHER: Oh yeah?
5 IRVING: --that were very very excited, and they've
6 been able to execute a lot, so, I mean,
7 congratulations. I think the public will continue to
8 use those a lot.
9 WERNHER: Great, thank you very much.
10 IRVING: Thank you.
11 IRVING: The second phase is still on track for the
12 middle of July.
13 BLOOM: All right.
14 IRVING: Great.
15 PETERS: Great.
16 IRVING: Great. Do I get a sneak peak?
17 WERNHER: Yes.
18 IRVING: Okay.
19 WERNHER: All right.
20 IRVING: Bye. Thank you.
21 BLOOM: Thank you.
22 WERNHER: You bet.

23 BLOOM: Certificate of Substantial Completion at the
24 Juvenile Center, Sheets & Sons, the site work and the
25 concrete.

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1 IRVING: This is just a continuation of the
2 acceptance of completion, and I make a motion we
3 approve.

4 PETERS: I'll second that.

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

6 PETERS: Aye.

7 IRVING: Aye.

8 BLOOM: Aye. Approve Warranty Deed for additional
9 right of way on Coldwater Road, Phase I. Good
10 morning, Mike.

11 FITCH: Good morning.

12 PETERS: Good morning.

13 FITCH: Mike Fitch--

14 IRVING: Good morning, Mike.

15 FITCH: --Allen County Highway.

16 BLOOM: This is parcel number 20.

17 IRVING: I make a motion that we accept.

18 PETERS: I'll second that.

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

20 PETERS: Aye.

21 IRVING: Aye.

22 BLOOM: Aye. Warranty Deed for additional right of
23 way acquisitions on Monroeville Bridge over Bohnke
24 Ditch. This is for Bridge #278, Parcel 5.

25 PETERS: I'll make a motion for the Warranty Deed on

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1 Monroeville Bridge over Bohnke Ditch, Project #00-
2 031.

3 IRVING: Seconded.

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

5 PETERS: Aye.

6 IRVING: Aye.

7 BLOOM: Aye. Approve and award Bid Reference #21-05
8 of the 2005 Resurface Package 2 to Wayne Asphalt for
9 175,484.25 [\$175,484.25], projects--well, do you want
10 to--

11 FITCH: Yeah, the Highway Department received bids
12 from four contractors. Wayne Asphalt was the low bid
13 at \$175,484.25. The engineer's estimate for the

14 project was \$221,911.00, so it was below the
15 engineer's estimate, and the Highway Department
16 recommends awarding it to Wayne Asphalt and
17 Construction Company, Inc.

18 PETERS: I'll make a motion to award Bid Reference
19 #21-05 to Wayne Asphalt and Construction Co., Inc.

20 IRVING: Were the bids close on this between the
21 bidders? I haven't seen the bid sheet yet.

22 BLOOM: I haven't, either.

23 FITCH: Wayne Asphalt is, like I said, 175

24 [\$175,484.25]--

25 BLOOM: Yeah, that was--

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1 FITCH: --Bunn Excavating--

2 BLOOM: --really low.

3 FITCH: --was 207 [\$207,000.00], Brooks and E&B
4 Paving were at 212 [\$212,000.00].

5 IRVING: Okay, I'll--

6 FITCH: So we're--

7 IRVING: --second the motion.

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

9 PETERS: Aye.

10 IRVING: Aye.

11 BLOOM: Aye. Approve and award Quotation Bid for
12 2005 Concrete Pavement Repair Package #4, Scotia,
13 Forest Ridge, Haverhill, and Aboite Lake Estates to
14 Minear for 48,835.35 [\$48,835.35]. Is this the
15 60/40?

16 FITCH: No, this is the miscellaneous--

17 BLOOM: Ok, just--

18 FITCH: --repair--

19 BLOOM: --repairs.

20 FITCH: --of spotted repairs around different
21 subdivisions. Again, we received bids from three
22 contractors.

23 BLOOM: Where's that one?

24 FITCH: Minear was the low bid at \$48,835.35. The
25 engineer's estimate was \$61,780.40, and we recommend

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1 awarding it to GE Minear Construction Company, Inc.

2 IRVING: Mike, I notice that there are several

3 projects here under item six and item seven both that
4 are going to be annexed at the end of the year. Are

5 we trying to improve the roads before annexation? Is
6 that why all of a sudden these are all appearing?

7 FITCH: The concrete packages are kind of a
8 continual--

9 BLOOM: Continual--

10 FITCH: --process. As they come in we have--we work
11 with the association presidents, and we will be
12 losing a lot of the concrete streets at the end of
13 this year. Most of the new subdivisions are asphalt
14 surface, so we are reducing our budget for next year
15 for concrete repair. We're moving that money into
16 asphalt repair, so--

17 IRVING: Well, that's why I'm asking is there a
18 reason that we've got such a push here to concrete
19 these streets right before the annexation?

20 FITCH: Actually, we looked the last three years at
21 what we spent on concrete repair and it's about the
22 same, so we haven't increased it.

23 IRVING: No, I'm not asking if we increased. I'm
24 asking if--

25 FITCH: I would expect there'd be--I would expect
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1 more requests, but we haven't.

2 IRVING: --okay, but I'm asking is, is there a
3 certain reason that so many of these--if you go up
4 here even for the asphalt, the first two projects I
5 see are going to be streets that are being annexed in
6 less than--

7 FITCH: Well, the reason is--

8 IRVING: --in five months.

9 FITCH: Right. At most--

10 IRVING: Are we just making sure that we're turning
11 these streets over to the City well repaired, or is
12 this just--

13 FITCH: No.

14 IRVING: --a luck of the draw or what?

15 FITCH: Most of all of our concrete streets are in
16 Aboite Township.

17 IRVING: No, but--

18 FITCH: It's just happens to be--

19 IRVING: --Wayne Asph--

20 FITCH: --where they're at.

21 IRVING: --Asphalt is not a concrete company, are

22 they? Are these--

23 FITCH: Yeah, they do--

24 IRVING: --concrete--

25 BLOOM: No, no--

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1 FITCH: --concrete.

2 BLOOM: --wait a minute. Here--

3 IRVING: I know that is, but I'm asking that even

4 under item six, the asphalt ones, the first two are

5 going to be annexed in January, less than five months

6 away. What I'm asking is, are we making sure that

7 all of our County roads are in good condition before

8 we're turning them over to the City or is this a luck

9 of the draw or have these been requested or what?

10 FITCH: Yeah, these are just--now, the Resurfacing

11 Package #2--

12 IRVING: The first two, Mike, first--

13 FITCH: --Edgebrook--

14 IRVING: --if you look at item number six, Project

15 #05-198 is Edgebrook Drive from Rosewood Drive to

16 West Jefferson, Wayne Asphalt, so I assume that

17 that's not concrete. That's asphalt.

18 BLOOM: Yeah, it is.

19 IRVING: The second one is Project #05-199, Rosewood

20 Drive from Aboite Center to a cul-de-sac. I don't

21 know whether the Windsor Road is. I'm just asking a

22 question. Is the reason that we've got a push right

23 now on doing a lot of projects that are going to be--

24 BLOOM: No.

25 IRVING: --annexed in five months, is it so we make

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1 sure that all the streets are repaired before we're

2 turning them over annexed? Is it the luck of the

3 draw, or--how did--

4 FITCH: No, we--

5 IRVING: --how did you come up with these?

6 FITCH: --this is just our typical maintenance

7 program. We have not made any additional effort to

8 fix everything before they're annexed.

9 IRVING: Okay.

10 FITCH: We basically process the projects as the

11 associations request them, and we haven't done

12 anything out of the ordinary just because of the

13 annexation.

14 BLOOM: Actually, I know of two subdivisions who have
15 called me after you have said that they do not need
16 work at this time saying, "How come we can't get this
17 done?" And I said, "Highway Department has their
18 rules and their"--

19 FITCH: Right. We're not accepting--

20 BLOOM: --"stipulations that"--

21 FITCH: --any applications for 60/40 this year.

22 BLOOM: We're not doing any.

23 FITCH: Right. These were all started a year ago.

24 IRVING: Now, your list that you have that you're
25 working off and that's how these projects came about,

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1 in January do you give that list, our progression--

2 BLOOM: We're doing this again.

3 IRVING: --list over to the City and say this is
4 basically the roads that we think are going to be in
5 the next year or two that may have to have some
6 resurfacing done, or do you--

7 FITCH: No, the City has gone out--they've gone out
8 right now and they're reevaluating all of the roads
9 in Aboite Township and coming up with their own
10 maintenance program.

11 IRVING: So we just take--

12 BLOOM: Is that right?

13 FITCH: Right.

14 IRVING: --we just take all our information and just
15 throw it away, then, and say okay?

16 FITCH: They haven't asked us for input.

17 IRVING: Okay.

18 BLOOM: Well, don't throw it away.

19 IRVING: Yeah.

20 FITCH: Right.

21 BLOOM: They may need--

22 FITCH: Right.

23 BLOOM: --your records.

24 FITCH: Right.

25 IRVING: Or maybe it would just be nice if we would

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1 offer them to them.

2 FITCH: Yeah, okay.

3 IRVING: Okay, thank you.

4 FITCH: Yep.

5 BLOOM: Did we vote on this? How about a motion?

6 IRVING: I second it. I think Nelson had seconded
7 it. Did Nelson second it?

8 COURT REPORTER: No motion, no second.

9 IRVING: I make a motion that we approve Quotation
10 Bid 2005 Concrete Pavement Repair Package #4.

11 PETERS: I'll second it.

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

13 PETERS: Aye.

14 IRVING: Aye.

15 BLOOM: Aye. Approve traffic posting changes to the
16 following streets: First Street, NO PARKING HERE TO
17 CORNER, and Hoagland Road, NO PARKING HERE TO CORNER.

18 Now, could you tell me where that is? Is that at
19 Three Kings there?

20 FITCH: Yeah, this is on the east side of Hoagland.

21 There is a--

22 BLOOM: Four Kings? What's it called?

23 IRVING: Three Kings.

24 BLOOM: Three Kings.

25 FITCH: --dispute between the--

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1 IRVING: In the Bible--

2 FITCH: --Three Kings--

3 IRVING: --three kings--

4 FITCH: --and the hair parlor about parking spaces.

5 We tried a NO PARKING from a distance to the corner,
6 and that--part of the problem there is that part of
7 that is a driveway--

8 BLOOM: Yeah, it is.

9 FITCH: --and it limited the parking too much, so we
10 went back and painted the spaces, and so I don't know
11 if we're going to resolve it or not, but I think it's
12 a--you know, I think it will work the way the paint
13 is.

14 BLOOM: Is it that the neighbors aren't playing well
15 together again?

16 FITCH: Yes, it's--yeah. Yes.

17 BLOOM: Well, hopefully this works.

18 FITCH: Yes.

19 BLOOM: Because we've had a lot of controversy on
20 this particular corner.

21 IRVING: If not, we're going to try new neighbors?

22 FISHERING: Encourage somebody to relocate.

23 IRVING: Yeah. I make a motion we accept.

24 PETERS: I'll second it.

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

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1 PETERS: Aye.

2 IRVING: Aye.

3 BLOOM: Aye. Approve Encroachment Report for
4 placement of Fiddler's Creek entry sign within the
5 median located on Acacia Passage at Wheelock Road as
6 requested by Fiddler's Creek Community Association.

7 is this okay?

8 FITCH: Yes. Our traffic engineers looked at the
9 plans and site, and feel that this would not be a
10 sight obstruction. This is typically--you've got
11 those drawings with you.

12 BLOOM: I do?

13 FITCH: This is a typical entry sign.

14 IRVING: Okay. So moved.

15 PETERS: I'll second it.

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

17 PETERS: Aye.

18 IRVING: Aye.

19 BLOOM: Aye. Then we also have another one,
20 Encroachment Report for placement of Chapman's Bridge
21 entry sign within the median located on Chapman's
22 Boulevard at Wheelock Road as requested by the
23 association.

24 FITCH: Yeah, this is almost the exact same
25 geometrics as the previous sign, just different

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1 letters.

2 PETERS: I'll make a motion on that as well.

3 IRVING: I'll second the motion.

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

5 PETERS: Aye.

6 IRVING: Aye.

7 BLOOM: Aye.

8 IRVING: If they decide to put sidewalks and things
9 in front, is this encroachment going to bother that
10 with our trails?

11 FITCH: No, the sign sits back--

12 BLOOM: In the--
13 FITCH: --behind the right of way for Wheelock Road.
14 It would not--
15 IRVING: It's 50 foot from center, right?
16 FITCH: Yeah.
17 IRVING: Where would your sidewalks be? If this is
18 50 foot from center where would your sidewalks be,
19 then?
20 FITCH: Typically they would be one foot off of the
21 property line.
22 IRVING: Okay.
23 BLOOM: We voted on that, right?
24 PETERS: Uh-huh (affirmative).
25 IRVING: Yes.

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1 ELSER: Uh-huh (affirmative).
2 BLOOM: I'd like to make an announcement that there
3 will be no meeting next week. Two of us are out of
4 town, and there won't be a meeting until the--
5 IRVING: Twentieth [20th].
6 BLOOM: --20th. Okay. How about the approval to
7 waive?
8 FISHERING: We have other--
9 PETERS: I'll make a mot--
10 FISHERING: --other business.
11 IRVING: Wait a minute. Oh, wait a minute. We need
12 other business.
13 BLOOM: Any other business this morning?
14 IRVING: Our attorney was waiting there so quiet.
15 BLOOM: Chomping at the bit.
16 FISHERING: Waiting patiently.
17 BLOOM: Uh-huh (affirmative).
18 IRVING: That would be--
19 FISHERING: Impatiently?
20 IRVING: Okay.
21 FISHERING: The Highway Department had an employee
22 who was in the management division who was off on
23 extended sick leave. We have arranged for him to
24 return and he, as a matter of fact, did return today
25 to a non-management position after his sick leave.

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1 This settlement agreement and general release allows
2 for that change in position. Yes, he did come back

3 today. So, he's--

4 IRVING: Unlimited?

5 FISHERING: --back at a maintenance worker one and
6 out of his supervisory position, and this provides
7 for that, so I would ask your approval of that.

8 PETERS: I make a motion that approve the agreement.

9 IRVING: I'll second the motion.

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

11 PETERS: Aye.

12 IRVING: Aye.

13 BLOOM: Aye.

14 FISHERING: Thank you very much.

15 BLOOM: Thank you.

16 IRVING: Now I'd like to make a motion that we waive
17 the second reading of any matters that may deem
18 necessary.

19 PETERS: Second it.

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

21 PETERS: Aye.

22 IRVING: Aye.

23 BLOOM: Aye. Any comments from the public this
24 morning? Any comments from the public? (No
25 response.) Hearing none, meeting adjourned. Thank

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1 you.

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3 (Adjourned 10:21 a.m.)

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

REPORTER'S CERTIFICATE

I, M. Joshua Osbun, a Notary Public in and

for the State of Indiana, County of Allen, do hereby

certify that the above and foregoing is a true and

accurate transcript of the Board of Commissioners of

the County of Allen, Legislative Session, held before

me on July 6, 2005 in the Allen County Commissioners'

Courtroom, Room 200, City-County Building, 1 East

Main Street, Fort Wayne, Allen County, Indiana; that

I am not related to, employed by or interested in any

of the parties to this cause of action.

IN WITNESS WHEREOF, I have hereto affixed my

hand and seal this 12th day of July, 2005.

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

My Commission Expires:

May 14, 2010