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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 July 20, 2005

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DATE: July 20, 2005

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TIME: 10:04 a.m.

17
18

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

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REPORTER: Kimberlee M. Adams

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1 PRESENT:
2 Linda K. Bloom Allen County Commissioner
3 Marla J. Irving Allen County Commissioner
4 Nelson Peters Allen County Commissioner
5 Susan Elser Allen County Board of
 Commissioners Office

6

7 Judy Heck Allen County Board of
Commissioners Office

8 Mary Hitchens Allen County Public
Information Office

9

10 John McGauley Allen County Public
Information Office

11 Michelle Wood Allen County Department of
Planning Services

12

13 Kim Bowman Allen County Department of
Planning Services

14 Shaun Murray Allen County Legislative
Liason

15

16 Ozzie Mitson Allen County
Chamber of Commerce

17 Pat Crick Allen County Recorder

18 Andy Downs Drug and Alcohol Consortium

19 Kelly Sickafoose Governor's Commission for
Drug-Free Indiana

20

21 Mike McAlexander DAC/Allen County
Prosecutor's Office

22 Miguel Trevino DLZ

23 Sheila Hudson Director, Allen County
Community Corrections

24

25 G.W. Fishing Allen County Counsel

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1 ALSO PRESENT:

2 Bill Hartman Allen County Highway Dept.

3 Bruce Little Allen County Purchasing

4 Ed Steenman Allen County IT Director

5 Kimberlee M. Adams Rolf Reporting, Inc.

6 Cindy Larson News Sentinel

7 Kevin Leninger News Sentinel

8 Ben Lanka Journal Gazette

9 Steve Gabet Allen County Resident

10 Marilyn Yoder Allen County Resident

11 Jim Wilhelm Allen County Resident

12 Jim Federoff Allen County Resident

- 13 Robert Steller Allen County Resident
- 14 Don Potter Allen County Resident
- 15 O.J. Stocker Allen County Resident
- 16 Tim Fears Allen County Resident
- 17 Paul Thaif Allen County Resident
- 18 Ed Freeman Allen County Resident
- 19 Scott Federoff Allen County Resident
- 20 Bill Dougherty Allen County Resident
- 21 Dee Adams Allen County Resident
- 22 Ben Adams Allen County Resident
- 23 John Hidy Huntertown Resident
- 24 J. Hoffman Aboite Independent
- 25 Mel Griswold Allen County Resident

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11 center, including one 204,000 square-foot
12 Wal-Mart Supercenter and three retail
13 outlots. The 38.5 acre site is located on
14 the west side of the 10100 through 10400
15 blocks of Lima Road and on the south side
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- 13 Allen County and DLZ Indiana for
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- 14 Main Street Bridge over Trier Ditch
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- 17 Allen County and American Consulting,
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- 18 for the Maplecrest Road Extension, from
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0009

1 BLOOM: Good morning and welcome to the Commissioners
2 Legislative Session. First we're going to honor our
3 flag and a silent moment please.

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

7 BLOOM: Thank you. First on our Agenda, Approval of
8 the Minutes of July the 6th.

9 PETERS: I make a motion to approve the Minutes of
10 July the 6th, 2005.

11 IRVING: I'll second that motion.

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

13 PETERS: Aye.

14 IRVING: Aye.

15 BLOOM: Aye. I think we're going to jump to Number 3
16 and do the Rezoning Petition 1551/05 first, please.

17 IRVING: Good morning, ladies.

18 BLOOM: To rezone--

19 WOOD: Good morning.

20 BLOOM: --property and amend the primary development
21 plan. Good morning.

22 BOWMAN: Good morning.

23 WOOD: Good morning.

24 BOWMAN: I'm Kim Bowman, Executive Director of the
25 Department of Planning Services.

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1 WOOD: Michelle Wood, Senior Land Use Planner.

2 BOWMAN: The issue before you today rezoning 1551/05
3 is to rezone property from C-2C which is a

4 metropolitan shopping center classification to a C-2D
5 which is a regional shopping center. The C-2C zoning

6 was approved in 2004, last year. And the reason for
7 the switch is because of some limitations in the C-2C

8 zoning. C-2C limits the major tenant to 90,000
9 square feet. But for the approval last year, a

10 waiver was granted to allow a major tenant to build
11 up to 124,000 square feet. So in essence, what

12 happened last year was a zoning that was put into
13 place for C-2C, but the plan that was approved was

14 more in line with a C-2D zoning, what you're

15 considering today. The C-2D does not set a maximum
16 building size, but it does limit the net site area to

17 25%. This is consistent will all of the C2 zonings,
18 the A, B, C, and D that limits the maximum site area
19 to 25%. I looked in our comprehensive plan which was
20 adopted in 1975 and as you know, we're in the process
21 of updating it. And the comprehensive plan
22 established three shopping center classifications, a
23 neighborhood, a community, and a regional. And
24 according to the comprehensive plan, the proposal
25 before you fits within the regional shopping center
0011

1 classification in the comprehensive plan. It was a
2 result of our 1975 comprehensive plan, actually, that
3 the zoning ordinance was amended to create a
4 stratification of the A, B, C, and D zoning
5 classifications. Staff did some research of the
6 other C-2 zoned properties in the county. There are
7 21 sites in unincorporated Allen County, Grabill, and
8 New Haven--no, Grabill and Huntertown that are zoned
9 C-2. What we found was 19 of those 21 sites are
10 located on State Roads or major arterials. This
11 development has been reviewed by INDOT, by the Allen
12 County Highway Department, the Allen County
13 Surveyor's Office. In addition, the Planning
14 Commission held a hearing on June 9th, 2005 and voted
15 on June 16, 2005 to send a do-pass recommendation for
16 your consideration. Could I answer any questions?

17 IRVING: What was the vote for--at Planning
18 Commission again?

19 BOWMAN: It was a unanimous vote to send a do-pass.

20 BLOOM: Thank you very much. Do you have any
21 questions of Kim or Michelle?

22 IRVING: No.

23 PETERS: No.

24 BLOOM: Thank you. The Commissioners have given this
25 rezoning request a great deal of consideration over
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1 the past few weeks, and we are prepared to take
2 action this morning. Ordinarily, public input is not
3 solicited after the Planning Commissions' public
4 hearing session, but this request has generated a
5 great deal of interest and our vote more than
6 anything else needs to reflect the best interest of
7 the community as a whole. Accordingly, we've met

8 several times with the neighbors and with the
9 developer so we could hear both sides and get every
10 available piece of information. We've received many
11 petitions and phone calls for and against this
12 rezoning. We believe our due diligence is complete.
13 And with that, I'll call for a motion.
14 PETERS: Madam Chairman, I would move approval of
15 Rezoning Petition 1551/05.
16 IRVING: I'll second that motion.
17 BLOOM: All in favor, signify it by saying, "Aye."
18 PETERS: Aye.
19 IRVING: Aye.
20 BLOOM: Aye. Thank you very much.
21 WOOD: Thank you.
22 BOWMAN: Thank you.
23 IRVING: Thank you.
24 BLOOM: We are now going to have a Public Hearing.
25 The request for appropriation from the 911 Fund to
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1 disburse funds to the City of Fort Wayne. According
2 to the law, today's public hearing may include only
3 those matters that have been advertised.
4 IRVING: Let's just take a moment while the--
5 BLOOM: Okay.
6 IRVING: --the audience clears. And you that are in
7 the back, feel free to come forward now.
8 PETERS: Do you want me to try and address that
9 before you go to public hearing?
10 BLOOM: Who is bringing this to us?
11 ELSER: Judy may be.
12 PETERS: Judy--Judy is right there.
13 IRVING: No, Judy Heck.
14 BLOOM: Okay. Do you want to come forward, Judy?
15 IRVING: Do you want to re--why don't we restate this
16 for the--
17 BLOOM: Yeah.
18 IRVING: -- TV audience?
19 BLOOM: I think we are going to repeat ourselves
20 since we had a little commotion here. Welcome to the
21 July 20th Public Hearing for the Board of
22 Commissioners regarding appropriation from the 911
23 Fund to disburse funds to the City of Fort Wayne.
24 According to the Indiana Law, a public hearing may

25 include only the matters that have been advertised.

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1 Has proper notice been advertised?

2 HECK: Yes, ma'am.

3 BLOOM: A public hearing is for the purpose of taking
4 testimony. The Board will discuss the merits of this
5 proposal following the public hearing. And under
6 normal circumstances, vote to determine the outcome.

7 We do hold the authority to continue our discussion
8 until a later meeting if we believe it's in best
9 interest. Nelson, do you want to give us some--

10 PETERS: Sure, I'll be happy to.

11 BLOOM: --background on this, please?

12 PETERS: The 911 Fund was a fund that was established
13 some years ago now for the purpose of maintaining 911
14 equipment, both for the County and then eventually
15 the City. The City suggested several years ago that
16 perhaps they weren't receiving the appropriate amount
17 based on the number of calls that they took monthly
18 and annually. So the Sheriff, the attorneys, and the
19 City sat down and discussed a more appropriate split
20 of the 911 funding. It's my understanding at this
21 point, that the split was going to be basically 70%
22 of the 911 receipts--yeah, 70% going to the City and
23 then 30% being split between the County and other
24 incorporated areas. What that means right now is a
25 yearly allocation of \$745,680.00 to the City of which

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1 we are appropriating \$557,680.00 right now to
2 maintain our current status with the City.

3 BLOOM: Okay.

4 HECK: The Council had already appropriated
5 \$188,000.00 of that earlier this year before they
6 turned it back over to the Commissioners.

7 BLOOM: Okay. Thank you. Is there anyone here to
8 speak for the appropriation? Anyone to speak for the
9 appropriation? Anyone to speak against the
10 appropriation? Anyone to speak against the
11 appropriation?

12 IRVING: Commissioner Bloom, I'll make a motion that
13 we close the hearing.

14 PETERS: I'll second that.

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

16 PETERS: Aye.
17 IRVING: Aye.
18 BLOOM: Aye. I'll entertain a motion.
19 PETERS: I would make a motion to approve the
20 appropriation from the 911 Fund to disburse funds to
21 the City of Fort Wayne.
22 IRVING: In the amount of?
23 PETERS: In the amount of \$557,680.00.
24 IRVING: I'll second that motion.
25 BLOOM: All in favor, signify it by saying, "Aye."

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1 PETERS: Aye.
2 IRVING: Aye.
3 BLOOM: Aye. Thank you, Judy.
4 HECK: Thank you.
5 BLOOM: The Approval of Drug-Free Community Funds
6 Grants by the Drug & Alcohol Consortium of Allen
7 County. Good morning.
8 DOWNS: Good morning.
9 STELLER: Good morning.
10 IRVING: Good morning, gentlemen.
11 DOWNS: Thank you for letting us visit with you this
12 morning. This is Bob Steller, the chair of the
13 finance committee for the--
14 IRVING: Hi, Bob.
15 DOWNS: --Drug & Alcohol Consortium, also known as
16 DAC. We also have Mike McAlexander here who is a
17 member of the Drug & Alcohol Consortium. And Kelly
18 Sickafoose who is the community consultant with the
19 Governor's Commission for a Drug-Free Indiana here as
20 well. The primary purpose of our visit today is to
21 seek approval for the distribution of drug-free
22 community funds for the 2005 funding cycle. But
23 knowing that you have literally thousands of viewers
24 through Access television, of course, we'd like to
25 give a little information about DAC so that we can

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1 educate the public a little bit.
2 First of all, the purpose of DAC is to provide
3 an effective network for--to work collaboratively
4 with agencies in the government to reduce the
5 negative impact of alcohol and drugs in Allen County
6 communities. DAC is a recognized--is recognized by

7 the Governor's Commission for a Drug-Free Indiana as
8 the Local Coordinating Council in Allen County, the
9 LCC in Allen County. As the LCC, we actually have to
10 submit a comprehensive plan to the Governor's
11 Commission. That plan has been submitted and
12 approved, and we are working according to that right
13 now. DAC has a growing reputation as one of the
14 leading LCCs throughout all of Indiana. Part of the
15 proof of that is that we will more than likely be a
16 test site for something known as PREBSTAT, which is a
17 new GIS program. Before we agree to do anything,
18 obviously we're going to want to have people from
19 Allen County, New Haven, and Fort Wayne there because
20 you all have fabulous GIS programs already.

21 BLOOM: Oh yeah.

22 DOWNS: And we may be able to marry things together
23 quite nicely. So you'll be hearing from us again at
24 some point in time on that. Additionally, our
25 membership has been growing, so we're kind of--we're

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1 kind of happy with the direction that the Drug &
2 Alcohol Consortium is going right now. A couple of
3 very quick highlights from recent funding efforts.
4 Because of funding from the Drug & Alcohol
5 Consortium, over 300 students or young people were
6 able to take a part in Project Alert. We were able
7 to train staff members at a number of locations.
8 There were nine sites throughout Allen County where
9 this program has taken place. Of the intervention
10 scholarships that are offered through the Drug &
11 Alcohol Consortium have helped over 120 indigent
12 folks who managed to get treatment they wouldn't have
13 otherwise been able to get. And then we've also
14 funded a number of government enterprises. Both the
15 Allen County Police Department and the New Haven
16 Police Department have received funding for in-camera
17 video camer--or in-car video cameras. The Fort Wayne
18 PD has received training for Drug Recognition Expert.
19 The Northeast Juvenile Center has received funding
20 for programming to help reduce recidivism. And
21 finally, the Jail Chaplaincy alcohol and drug program
22 has received funding as well.

23 The way the funding process works for the Drug

24 & Alcohol Consortium is that first of all, we fund in
25 three areas. Those areas are prevention, justice,
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1 and intervention. We start sending--by sending out a
2 request for proposals from the community. We--we let
3 the community know, and those who are going to submit
4 proposals, that we are most favorably going to view
5 those practices that follow best practices that have
6 outcome-based procedures in them or programs in them
7 and programs with built-in continuous improvement
8 processes.

9 Additionally, we've let folks know that DAC
10 should not be viewed as a perpetual funding source.
11 We want to try and provide seed money. The programs
12 that work well, we hope they'll be able to go to
13 other sources for funding after they have proven
14 their worth.

15 The Grant subcommittee then reviews all of the
16 requests. We meet. This year, we were able to do it
17 one meeting. Last year, it took a couple of
18 meetings. We go through every request and then we
19 make allocations. And today, we are here to ask for
20 approval of the granting plan that was submitted to
21 you a little while ago. And we'll take any
22 questions.

23 PETERS: Dr. Downs, I know in another life, you were
24 big on benchmarking and projections and that type of
25 thing. And I'm curious as to what type of work has
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1 been done with respect to how successful these
2 allocations have been. Do you have any numbers that
3 can say, "Well, because of these dollars, these--
4 these things have happened"?

5 DOWNS: Actually, things have gotten much better in
6 that regard. I was not around when DAC was formed or
7 when its predecessor was formed. But I've been told
8 that applications used to come in handwritten and
9 they had absolutely no idea what they were trying to
10 do with their applications. Now, we actually require
11 people to submit the number--some statistical
12 information about the number of people they have
13 served, sources of revenue, other--other pieces of
14 data.

15 BLOOM: Uh-huh (affirmative).

16 DOWNS: So we are--we are becoming more professional
17 locally and nationally in terms of that data coming
18 in. Additionally, the State and Feds are looking
19 more and more toward best practices--

20 PETERS: Right.

21 DOWNS: --those practices proven to work elsewhere as
22 those programs that should be funded. And DAC is
23 moving in that direction as well. So it's not--it's
24 not as good as most of us would hope, but it's
25 certainly a lot better than it used to be.

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1 PETERS: Great. Thanks.

2 IRVING: I have a couple of questions from the
3 Juvenile Justice Center. On--caught my eye when I
4 saw some of the comparisons here. So I started doing
5 some of my own research, and in 2004, we had 1,225
6 youth that tested positive for marijuana,
7 amphetamines, or cocaine. That is approximately a
8 third [1/3] or 33%, real close, to the amount of
9 youth that entered into the Juvenile Justice Center.

10 How do you feel as if those statistics compare to
11 surrounding areas, and you know, are we high, low,
12 and how do you feel that this is affecting our youth
13 and the DAC program is helping our youth to defer
14 them from using? So that's like eight questions in a
15 row. I'm sorry, Andy.

16 DOWNS: That's okay. I'll do my best to answer them.

17 First of all, unfortunately, I don't know the numbers
18 of the surrounding communities. Kelly might have
19 better statistics and be able to speak to that--that
20 fact in terms of--of usage and surrounding areas.
21 One of the big challenges with youth though is
22 finding organizations willing to let us collect data.
23 As you can well imagine, if a school corporation, for
24 example, said, "Yes, please come in and collect data
25 from our students," unfortunately, the story would

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1 not be that 95% of the students are fabulous kids.
2 It would be that 5% of the kids are not fabulous.
3 But what we do know is that the data we are
4 collecting shows that a number of the programs are
5 working. And the programs that are not working,

6 whether it's because of poor administration on the
7 part of the program directors or just practices that
8 don't work, we actually are--are weaning those off
9 of--of DAC funding. We think that DAC does provide a
10 valuable service in part because it provides funding
11 in those three areas I mentioned earlier. And--

12 IRVING: So--

13 DOWNS: Sorry. And--

14 IRVING: No, go on. I'm sorry.

15 DOWNS: --finally, one of the--one of the real goals
16 for us in the near future is to build a much more
17 broad coalition of folks to address the issue of
18 alcohol and drug abuse in our community.

19 IRVING: Then how do you set your goals
20 because--and--and as I said, you know, I've been
21 very, very involved in the youth programs. And it
22 says that, "Reduce the number of juveniles that are
23 in the Juvenile Justice Center that test positive for
24 marijuana, amphetamines, and cocaine by 15%." If you
25 don't have the correct data, then how do you propose

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1 to decrease that by 969 when I show that we're
2 at--probably at 33% now.

3 DOWNS: Sure. When we do have stats, as you have
4 seen in the comprehensive plan and in other documents
5 submitted to you, those are numbers we can get, which
6 is part of the reason you see them. And so, we can
7 track those. And--and that's part of the reason we
8 put them in there. We think that one of the best
9 ways to prevent people from getting into the justice
10 system is to make sure they have other things to do,
11 which is part of the reason that a large number of
12 the grantees are actually youth organizations, places
13 for--for youth to go and--and make sure that they're
14 not doing those things. And not just to have a place
15 to go hang out, but to actually go through
16 programming--

17 IRVING: Right.

18 DOWNS: --where they learn the bad--the bad effects
19 of drug and alcohol abuse.

20 IRVING: Well, next year when you come before us, and
21 I'm sure you will, this is the first time I had seen
22 some--any type of Juvenile Justice Center numbers, I

23 would really like to get more of a--a better handle
24 on--on the numbers, how do you feel the numbers are
25 going. And if possible, some tracking. We talked
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1 about that yesterday in our youth service meeting out
2 at Youth Services that we do a very poor job of
3 tracking successes--

4 BLOOM: Uh-huh (affirmative).

5 IRVING: --and successful numbers. And I--Andy, I
6 know you're genius at being able to do these types of
7 things. I--I--

8 DOWNS: Keep talking. Keep talking.

9 IRVING: That's right. I--I would really like to
10 because, you know, we--we find not whether it's an
11 adult--and I see that Mrs. Hudson is sitting back
12 there too--you know, that they--the--you know, we
13 could definitely cut down a lot of our costs in the
14 judicial system both for adult and youth if we could
15 get a better handle on the alcohol and the drugs. So
16 I would very much appreciate any--any further
17 statistics that you can come up with so we can
18 discuss them more in depth next year.

19 DOWNS: And actually, that--that is a goal of ours as
20 well. We want to be able to--

21 BLOOM: Certainly.

22 DOWNS: --quantify what's happening.

23 BLOOM: Certainly.

24 IRVING: I make a motion we approve.

25 PETERS: I'll second it.

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

2 PETERS: Aye.

3 IRVING: Aye.

4 BLOOM: Aye.

5 DOWNS: Thank you all very much.

6 BLOOM: Request from the Recorder's Office to
7 approve--good morning--

8 CRICK: Good morning.

9 BLOOM: --to approve a professional services work
10 order between the Recorder's Office and Imaging
11 Office System and additional network storage from
12 Dell for electronics storage. Identify, please.

13 CRICK: Pat Crick, Recorder.

14 STEENMAN: Ed Steenman, IT Director.
15 CRICK: And Ed is going to take the floor.
16 BLOOM: Will lead on this one, huh?
17 IRVING: Pass the buck now, huh?
18 CRICK: That's right.
19 IRVING: Okay. I do that too sometimes.
20 STEENMAN: The first agreement that you have there is
21 an agreement between the County and Imaging Office
22 Systems. Pat has been very--
23 IRVING: Proactive.
24 STEENMAN: --been working hard to get the--the plats
25 that have been collected over the many, many years

0026

1 put into a digital format. They were scanned by one
2 company, Global Systems, here in Fort Wayne. And
3 Global Systems did not have the ability to put--put
4 the images into the software that--that we use
5 throughout the County. So this agreement with
6 Imaging Office Systems is to make that conversion of
7 the data and images over to the existing County
8 software in the total of \$4495.00.

9 PETERS: Was part of the original deal with Global
10 Systems to put that into--

11 STEENMAN: No.

12 PETERS: --compatible software--

13 CRICK: Nuh-uh (negative).

14 STEENMAN: No.

15 PETERS: --or not?

16 CRICK: No.

17 STEENMAN: It wasn't. They had--they had their
18 process and it didn't coincide with--

19 PETERS: Okay. So we knew up front, that wasn't--

20 STEENMAN: Yes.

21 CRICK: Right.

22 PETERS: -- part of the game?

23 STEENMAN: Right.

24 IRVING: This has also been approved by Data Board.

25 BLOOM: Uh-huh (affirmative).

0027

1 IRVING: And I'll make a motion that we approve the
2 request from the Allen County Recorder's Office for
3 the Imaging Office System.

4 PETERS: I'll second that motion.

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

6 PETERS: Aye.

7 IRVING: Aye.

8 BLOOM: Aye.

9 IRVING: I probably should add the Dell in that too--

10 BLOOM: The additional--

11 IRVING: --as a separate motion.

12 BLOOM: --network storage from Dell for--for

13 electronics storage. And the cost on this is

14 \$16,626.05.

15 STEENMAN: This--this is a separate project.

16 IRVING: Yeah.

17 STEENMAN: Another project that Pat has undertaken is

18 the scanning of the microfilm that has been made in

19 the past 10 years.

20 BLOOM: Wonderful.

21 IRVING: Yeah.

22 STEENMAN: That will make those images of all those

23 recorded documents available electronically. And as

24 you might guess, over 10 years there have been a lot

25 of documents scanned. We're talking--the estimate is

0028

1 approximately two and a half terabytes of data

2 that--images that will be coming back from Global

3 Systems. The network storage that we purchased last

4 year does not have enough space on it, but it is

5 expandable. One of the reasons we purchased it was

6 so that we could add space whenever we need to.

7 Well, now we're at the point with two and a half

8 terabytes--

9 BLOOM: Really.

10 STEENMAN: --of data that Pat--

11 IRVING: Yeah.

12 STEENMAN: --wants to put out there, the need to add

13 space. So--

14 BLOOM: Okay.

15 STEENMAN: --the--

16 IRVING: Terabytes. Did you get that, Linda?

17 BLOOM: Uh-huh (affirmative). I did. I did.

18 CRICK: Now you know why Ed is presenting this.

19 IRVING: I mean, who thinks of this stuff?

20 Terabytes.

21 PETERS: How many gigabytes are a terabyte?

22 STEENMAN: There's 1,000 gigabytes in a terabyte.

23 BLOOM: That was a really good question.

24 CRICK: So we're talking about 3500--or 2500

25 gigabytes.

0029

1 IRVING: Yeah.

2 PETERS: I just--I remember 15 years ago when
3 gigabytes became the term and it was like, "What's a
4 gigabyte?"

5 STEENMAN: Yeah.

6 PETERS: And now, we're up to terabytes, huh?

7 STEENMAN: And--

8 IRVING: What's the next one after a terabyte? Oh,
9 we haven't thought of that yet.

10 STEENMAN: Pedibyte.

11 IRVING: What is it?

12 STEENMAN: A pedibyte.

13 IRVING: A pedibyte.

14 STEENMAN: I believe it is.

15 BLOOM: Pedibyte? I see.

16 STEENMAN: Watch how you say that word.

17 BLOOM: Yeah.

18 CRICK: The cost on this while we're--

19 STEENMAN: Yeah. One thing I did want to point out,
20 we have--we have continued to work--

21 IRVING: Pedibyte.

22 STEENMAN: --with Dell on--

23 PETERS: And a partridge in a pear tree.

24 STEENMAN: --the pricing on this. The advertised
25 cost of this was \$16,626.05. Working with Dell, we

0030

1 have gotten that price down to \$11,978.25--

2 IRVING: Great.

3 STEENMAN: --on the condition--

4 BLOOM: Wow.

5 STEENMAN: --that we have the P.O. to them by Friday.

6 This is end of the quarter business that they're

7 trying to get, so they're being aggressive with it.

8 But we're talking a--

9 IRVING: Super.

10 STEENMAN: --\$5,000.00--\$4,000.00--

11 BLOOM: Savings.

12 STEENMAN: --savings.

13 IRVING: Uh-huh (affirmative).
14 PETERS: Yeah, that's very--
15 STEENMAN: Yeah. So we'll--
16 BLOOM: Absolutely.
17 STEENMAN: --we'll absolutely work to get the P.O. to
18 them by Friday.
19 IRVING: And this also has been approved.
20 CRICK: Uh-huh (affirmative).
21 STEENMAN: By Data Board.
22 IRVING: I will gladly make the motion for
23 \$11,978.25.
24 PETERS: And no terabytes? I'll second the motion.
25 BLOOM: All in favor, signify it by saying, "Aye."

0031

1 PETERS: Aye.
2 IRVING: Aye.
3 BLOOM: Aye.
4 IRVING: I hope I'm here long enough to have a
5 periby--wait, is that peribyte?
6 STEENMAN: Pedibyte?
7 IRVING: A pedibyte. A pedibyte. Okay. That's
8 cute. Okay.
9 BLOOM: I don't want to talk about this.
10 IRVING: The third on your list is the Agreement with
11 Strategy Solutions.
12 STEENMAN: And this--this Agreement is--
13 BLOOM: Strategic Solutions for Novell to Windows
14 Network Migration Consulting.
15 STEENMAN: Right. This--this is not part of the
16 Recorder's Office request. This is a service
17 agreement between us and Strategic Solutions that
18 will be paid for out of the ACS budget. We are in
19 the process of working toward a Novell to Windows
20 Migration. This--we have been using Strategic
21 Solutions in an unofficial capacity for quite some
22 time, and this formalizes that agreement. And the--
23 the agreement is for 24 hours, three days, for them
24 to come in. And the total--
25 BLOOM: So we have no cost or anything on here?

0032

1 STEENMAN: Yeah, there is--there is a cost of--
2 IRVING: It's being paid for.
3 STEENMAN: --\$2760.00 for--

4 BLOOM: Okay.
5 STEENMAN: --for those--
6 IRVING: And it's coming out of the ACS budget.
7 STEENMAN: Yes.
8 BLOOM: I understand, but I wanted to know how much
9 it was.
10 IRVING: I make a motion we approve.
11 STEENMAN: I do have one--one other comment.
12 BLOOM: Please.
13 STEENMAN: We are--we are going to apply to
14 Microsoft. They have a Novell to Windows migration
15 program going on. We're going to apply to them for
16 \$1200.00 to go against that \$2700.00 cost. So this
17 should end up costing \$1560.00 instead of--
18 BLOOM: You're just full of good news--
19 IRVING: But--
20 BLOOM: --this morning.
21 IRVING: --but we don't want to approve that \$1200.00
22 because we--we--a bird in the hand is worth two in
23 the bush and I want to make sure--
24 STEENMAN: Correct. We--
25 IRVING: --that we have that.

0033

1 STEENMAN: --we do not--
2 IRVING: Right.
3 STEENMAN: --we do not have that \$1200.00 in our
4 hands.
5 IRVING: Right.
6 STEENMAN: So yes, the approval for \$2760.00 would be
7 more appropriate.
8 IRVING: I make a motion we approve.
9 PETERS: Okay, help me out here.
10 STEENMAN: Okay.
11 PETERS: \$2760.00 is what we're approving, but you
12 believe the number is going to be closer to \$1560.00?
13 STEENMAN: Correct. We don't--
14 PETERS: When all is said and done.
15 STEENMAN: --we are going to apply for a rebate from
16 Microsoft of--
17 PETERS: Okay.
18 STEENMAN: --\$1200.00.
19 PETERS: I gotcha. Okay.
20 IRVING: But it will come out of the AC--it

21 will--it's going to be paid out of the ACS budget and
22 will go back into the ACS budget to offset the cost
23 too. So I mean, it's--
24 PETERS: Okay. Can I ask one other question before
25 I--

0034

1 IRVING: Go right ahead.
2 PETERS: --second it.
3 BLOOM: Go for it.
4 PETERS: I--I had forgotten I had highlighted this.
5 In the project duration in the contract, it says,
6 "The duration of the project will be for a minimum of
7 the hours specified above or one year, whichever
8 comes first."
9 IRVING: Right.
10 PETERS: What's the duration of the project since I
11 didn't see a set number specified above?
12 STEENMAN: In the Terms and Termination, Section I,
13 it says that the agreement is for 24 hours.
14 IRVING: Yes. He explained that earlier.
15 PETERS: Yep. And I heard him do that and--okay, my
16 apologies.
17 BLOOM: Okay.
18 PETERS: Okay, I'll second the motion.
19 BLOOM: All in favor, signify it by saying, "Aye."
20 PETERS: Aye.
21 IRVING: Aye.
22 BLOOM: Aye.
23 STEENMAN: Thank you very much.
24 CRICK: Thank you.
25 BLOOM: Thank you very much.

0035

1 IRVING: And thank you, Pat. Good luck with your
2 budget. What are you going to need--leave for the
3 next Recorder to do? You're being so--
4 CRICK: We've got some things on the agenda.
5 IRVING: Good, good. You've been very proactive.
6 CRICK: Thanks.
7 BLOOM: Request from Allen County Community
8 Corrections to purchase a Toshiba 650 copier from
9 Adams Remco. What--why do they come to us for this?
10 PETERS: That's a good question.
11 BLOOM: Good morning. Why does anybody come to us

12 for this stuff?

13 IRVING: Because they have to. It's in the contract.

14 HUDSON: Good morning, Commissioners.

15 BLOOM: Good morning.

16 HUDSON: My name is--

17 IRVING: Good morning.

18 HUDSON: --Sheila Hudson. I'm the Director of Allen

19 County Community Corrections.

20 BLOOM: Yes, you are.

21 LITTLE: And I'm Bruce Little, Purchasing Director

22 for Allen County.

23 IRVING: Good to see you, Bruce.

24 HUDSON: And we're here to request permission to

25 purchase a new copier. We have a--we've had one for

0036

1 four years and it has outlived its life.

2 BLOOM: Oh yeah.

3 HUDSON: And through the assistance of Bruce, we were

4 able to come up with this bid that we were

5 comfortable with purchasing through State funds and

6 Project Income.

7 PETERS: The paperwork, as I read it, said that 50%

8 was going to be paid by the State and 50% was going

9 to come from--

10 BLOOM: Yeah.

11 PETERS: --local funds. What local funds?

12 HUDSON: It's--it's the Community Corrections Project

13 Income Fund.

14 PETERS: Okay.

15 IRVING: What kind of a maintenance contract are you

16 getting on this too? Is it an ongoing maintenance

17 contract?

18 LITTLE: We were able to negotiate a one-year

19 warranty with this machine. Normally, they're 90

20 days. The vendor has given a one-year on this.

21 After that, I am recommending that they get into a

22 service contract covering parts, supplies, and all

23 repairs.

24 IRVING: And how much do you think that will be?

25 LITTLE: I can give you some figures on that.

0037

1 IRVING: Okay.

2 LITTLE: Right under my fingertips.

3 BLOOM: Too many papers.
4 IRVING: You're getting ready to go on vacation.
5 Your fingertips are probably--
6 LITTLE: You remembered.
7 IRVING: That's right.
8 IRVING: That's right. And Sheila has been asked to
9 give a speech or something out in Maryland, is that
10 correct?
11 HUDSON: In Maryland. It's a national--American
12 Correctional Association. It's a national con--
13 conference. And they've asked--
14 IRVING: Great.
15 HUDSON: --Judge Surbeck and myself, and--and Tony--
16 IRVING: Uh-huh (affirmative).
17 HUDSON: --to do a presentation on our new approach,
18 our motivational intervention, the way we a--we
19 approach and use--it's a mental health approach to
20 assisting people to make changes in their own lives
21 with their own--their own direction.
22 IRVING: Congratulations.
23 HUDSON: Thank you.
24 BLOOM: Congratulations.
25 HUDSON: Thank you.

0038

1 BLOOM: Yeah.
2 HUDSON: Thanks.
3 IRVING: Okay.
4 LITTLE: To your question--
5 IRVING: Yes.
6 LITTLE: --it would depend upon how many copies they
7 would be running in year. But let's use a figure of
8 30,000 copies a month. That would be an annual cost
9 of \$1800.00 which would be running right around three
10 quarters of a cent a copy, which is a very--
11 IRVING: You have more of a--you do more of a couple
12 million, don't you, copies? Isn't that what we saw?
13 HUDSON: The new copier will--will--is up to two
14 million a year.
15 LITTLE: Two million [2,000,000] a year.
16 HUDSON: We were doing 50,000.
17 IRVING: Right. What is that 2,000,000?
18 BLOOM: Lordy, lordy.
19 HUDSON: What was happening was we were doing--

20 LITTLE: Well, the breakdown I have here is just for
21 20,000, 30,000, and 40,000 a month. You can take
22 these figures and prorate it--

23 BLOOM: Right.

24 LITTLE: --to 2,000,000 a year. All I can tell you
25 is based on 2,000,000 a year, this machine is
0039

1 certainly not an overkill. That's a tremendous
2 amount of paper going through a copier.

3 BLOOM: Yeah, it is.

4 IRVING: Yes.

5 LITTLE: This is the largest copier we have on
6 contract. And--

7 BLOOM: But if this is on contract also and they have
8 money appropriated for this, why--why do we keep
9 coming to the Legislative--

10 IRVING: Because we have to sign the contract.

11 LITTLE: Well, I--there is no requirement to be here
12 in front of you now. But certainly, with a purchase
13 like this, Sheila is--

14 IRVING: Uh-huh (affirmative).

15 LITTLE: --I think--and I think it speaks well of
16 her. She wants you to be aware of what she's doing.
17 But you are right--

18 BLOOM: Oh, no. I'm--

19 LITTLE: --Ms. Bloom, there--

20 BLOOM: No, I--

21 LITTLE: --there is no reason why she needs to be
22 here.

23 HUDSON: I understand.

24 LITTLE: You're right.

25 BLOOM: Because if it is appropriated and it is in
0040

1 the realm of our buying power--

2 LITTLE: That's right. This--this is not required,
3 simply an FYI.

4 HUDSON: Yes.

5 IRVING: And you some way of a continue budget of
6 2,000,000 dol--2,000,000--of \$2,000.00 a year for the
7 maintenance contract?

8 HUDSON: Yes.

9 IRVING: I make a motion we approve.

10 PETERS: I'll second it.

11 BLOOM: All in favor, signify it by saying, "Aye."
12 PETERS: Aye.
13 IRVING: Aye.
14 BLOOM: Aye.
15 IRVING: Good luck.
16 HUDSON: Okay, thank you very much.
17 LITTLE: Thank you.
18 BLOOM: Again, I'm really proud.
19 IRVING: I am too. And have a good time on vacation,
20 Bruce.
21 LITTLE: Thank you, Marla.
22 BLOOM: Are you going north?
23 LITTLE: Oh yeah.
24 BLOOM: Oh, have a fun time.
25 LITTLE: My son is up there now, and he's told me the
0041

1 weather is terrific. Never been better.
2 BLOOM: Did you take all the humidity with you, I
3 hope?
4 LITTLE: Let's hope not.
5 IRVING: Is Mike on vacation?
6 BLOOM: Yeah. Good morning.
7 IRVING: Good morning, Bill.
8 HARTMAN: Good morning. I'm Bill Hartman with the
9 Allen County Highway Department sitting in for Mike
10 Fitch this morning.
11 BLOOM: We're glad you're here.
12 HARTMAN: Thank you so much.
13 BLOOM: Approve Supplemental #2 Agreement between
14 Allen County and DLZ for additional engineering for
15 Summit Street Bridge over Martin Ditch, increase of
16 \$5190.00.
17 IRVING: I make a motion that we approve. I thought
18 Nelson had a question on that.
19 BLOOM: Do you? Is this in the Bridge Bond, Bill?
20 HARTMAN: Yes, it is.
21 BLOOM: Okay.
22 HARTMAN: Yes, it is.
23 IRVING: Yeah, this one--both eight and nine, I think
24 are.
25 PETERS: Well, I do, but--but Commissioner Bloom kind
0042
1 of answered them--

2 IRVING: Okay.

3 PETERS: --earlier this week.

4 IRVING: I make a motion that we approve the

5 \$5,190.00 increase on Project #00-0025.

6 PETERS: I'll second it.

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

8 PETERS: Aye.

9 IRVING: Aye.

10 BLOOM: Aye. Approve Supplemental #1 Agreement

11 between Allen County and DLZ for additional

12 engineering services--Main Street over Trier Ditch,

13 increase \$20,100.00. And this also is in the Bridge

14 Bond?

15 HARTMAN: Yes, it is.

16 IRVING: I make a motion we approve.

17 PETERS: I'll second that.

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

19 PETERS: Aye.

20 IRVING: Aye.

21 BLOOM: Aye. Approve Supplemental #2 Agreement

22 between Allen County and American for Maplecrest Road

23 from State Road 930 [SR930] to Lake Avenue. The

24 total is \$284,530.00 of which 80% is being paid by

25 the Fed--State \$227,624.00. The County's portion of

0043

1 this is \$56,906.00.

2 IRVING: I make a motion we approve.

3 PETERS: I'll second it.

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

5 PETERS: Aye.

6 IRVING: Aye.

7 BLOOM: Aye. Approve and award Bid Reference #22-05,

8 Monroeville Road Bridge over Bohnke Ditch to Pioneer.

9 Total award \$555,402.65. Engineering estimate was

10 \$547,338.30. Whose got the page with the bids?

11 IRVING: I don't have a copy of that, Commissioner.

12 BLOOM: I wanted to see it. That's it.

13 IRVING: Oh, here, I've got it. I'm sorry,

14 Commissioner Bloom. Right there. I have a copy.

15 BLOOM: Pioneer, Primco, and R.L. McCoy were the

16 three bidders. The low bidder was Pioneer at

17 \$555,402.65.

18 IRVING: So moved.

19 PETERS: I'll second it.
20 BLOOM: All in favor, signify it by saying, "Aye."
21 PETERS: Aye.
22 IRVING: Aye.
23 BLOOM: Aye. Award--approve and award Quotation
24 Bill--Bid for demolition of a house located at 14012
25 Coldwater Road, as part of the Coldwater Road Phase
0044
1 I. Should that not be Phase II?
2 HARTMAN: No, this is just Phase I at this point.
3 BLOOM: Just Phase I, huh?
4 HARTMAN: Yes.
5 BLOOM: This is north of Dupont?
6 HARTMAN: Yes.
7 BLOOM: Okay. To Martin Service Systems. Total
8 award, \$13,775.00.
9 PETERS: Yeah, can I ask a question real quick?
10 Bill, and I don't mean to put you on the spot, but it
11 seems to me a lot of times that fire departments are
12 looking for houses to burn down for practice. Why
13 don't--why don't we demolish things like this that
14 way?
15 HARTMAN: This one, I'm not certain if--it may be
16 that the proximity is too close to another home to--
17 PETERS: Okay.
18 HARTMAN: --to reasonably do this kind of thing. And
19 we had done that before on our Hillegas project.
20 They used it for--
21 IRVING: Uh-huh (affirmative).
22 HARTMAN: --they used homes for practice. And--
23 BLOOM: Uh-huh (affirmative).
24 HARTMAN: --they didn't really properly secure them
25 and it became, more or less, a liability for us.

0045

1 PETERS: Okay.
2 HARTMAN: So, sometimes these things work out--
3 BLOOM: Uh-huh (affirmative).
4 HARTMAN: --sometimes they don't.
5 PETERS: Right.
6 IRVING: We contracted with--we didn't contract.
7 They did this training for two structures at the
8 Irene Byron. And we still have to pay somebody to
9 come up and--

10 PETERS: And clean it up.
11 IRVING: --clean up.
12 PETERS: Sure.
13 HARTMAN: Yeah.
14 IRVING: And especially some of this, even fire
15 departments can't burn as a training because of--it
16 depends what the shingles are made out of. I got a
17 real education on this. So--but I agree, I think our
18 first option should always be for training--
19 HARTMAN: Yeah, we--we have--
20 IRVING: --for our volunteer fire departments.
21 HARTMAN: --looked into these in the past. We didn't
22 in this case, however.
23 PETERS: Okay. All right. I make a motion to award
24 the quotation bid for demolition of the house to
25 Martin Services System.

0046

1 IRVING: I'll second it.
2 BLOOM: All in favor, signify it by saying, "Aye."
3 PETERS: Aye.
4 IRVING: Aye.
5 BLOOM: Aye. Approve and accept completion of
6 contract between Allen County and Bercot for Bid
7 Reference #29-04, the Maumee River Greenway. The
8 final contract amount is \$239,087.67. Last year we
9 had a decrease. And I don't remember the number. It
10 was over \$20,000.00. This is the final number.
11 Well, here it is, right here, \$20,377.33 decrease.
12 So the final amount is \$239,087.67.
13 IRVING: So moved.
14 PETERS: I'll second it.
15 BLOOM: All in favor, signify it by saying, "Aye."
16 PETERS: Aye.
17 IRVING: Aye.
18 BLOOM: Aye. Approve and accept completion of
19 contract between Allen County and R. L. McCoy, Marion
20 Center Road Bridge over St. Marys River. Final
21 contract amount, \$246,841.28. Also in the Bridge
22 Bond, right?
23 HARTMAN: Yes.
24 PETERS: You know, that's about \$49,000.00 more than
25 the original bid?

0047

1 HARTMAN: Yes.

2 PETERS: Do you have any idea what happened?

3 HARTMAN: When we went to clean the bridge, we
4 excavated the ends of the bridge. And it's--it's
5 built such--it's an iron truss bridge, and it's built
6 such that one end is pinned and one end sits on a
7 roller net so that it can--can expand and contract
8 with the weather and not put undo stress on the
9 bridge. Well, where the roller nets were, had
10 deteriorated to the point that they had to be
11 reconstructed. In order to do that, the bridge had
12 to be physically raised off its foundations.

13 And--and then refabrication of the roller nets and--

14 PETERS: Okay. And we didn't--

15 HARTMAN: --the pinned in--

16 PETERS: --anticipate that--

17 HARTMAN: Yeah.

18 PETERS: --at the outset?

19 HARTMAN: Yeah. Yeah, that was something that hadn't
20 been anticipated. We--this design had gone on for
21 probably 12 years, and this deterioration may have
22 taken place--you know, the design was actually final
23 12 years ago and we finally got the money, you know,
24 through the bond issue to do the construction. And
25 some of this deterioration takes place, you know,

0048

1 over these periods of time. So--

2 PETERS: Okay.

3 IRVING: Super.

4 BLOOM: Okay.

5 PETERS: I make a motion on approve and acceptance of
6 the completion of the contract between Allen County
7 and R. L. McCoy.

8 IRVING: I'll second it.

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

10 PETERS: Aye.

11 IRVING: Aye.

12 BLOOM: Aye. Approve Change Order #3 between Allen
13 County and Wayne Asphalt for the Grabill Road from
14 SR1 to Fairview Avenue. Total Change Order,
15 \$47,458.10. And then it is split three ways, between
16 Allen County, Leo-Cedarville, and Grabill. Could you
17 explain this, why we have another increase in this

18 project?

19 HARTMAN: Well, the--

20 BLOOM: Do you have it there?

21 HARTMAN: Yeah, I have the--I have the Change Order
22 here.

23 BLOOM: Okay.

24 HARTMAN: You know, it's various items. There's
25 additional asphalt. There's additional concrete curb
0049

1 and gutter that wasn't included on the plans. The
2 scope of the project was changed somewhat after it
3 was designed. When it was originally surveyed and
4 designed, we had just completed the Swartz Road
5 project at the intersection of Grabill Road. And
6 that was a new piece of pavement at that time.

7 But--there again, over the period of time it took to
8 accomplish the design and obtain the funding, there
9 was deterioration in this pavement, and that--that's
10 part of the cost in this. And there were some
11 omissions found in the plans as we, you know,
12 proceeded with the construction. And it was found
13 that some of the drainage wouldn't work.

14 BLOOM: Okay.

15 HARTMAN: We found discrepancies in the survey for
16 the whole project. And the drainage throughout the
17 whole project didn't work, and we had to--we had to
18 redesign, you know, part of--part of the drainage in
19 the project, you know. When we--we found this out
20 just prior to start of our--of our construction. We
21 generally do a resurvey of all the benchmarks and
22 profiles in the project as--by the contractors, you
23 know, up front. And unfortunately on this project,
24 it was found that things--this doesn't happen very
25 often. This--this is the worst case that I've seen.

0050

1 And we had to--

2 BLOOM: Really?

3 HARTMAN: --like I said, we just had to re--totally
4 redesign everything, so everything would drain.

5 BLOOM: I--

6 HARTMAN: And we did run into some conflicts with
7 sanitary sewers that we didn't anticipate that we had
8 to accommodate, and you know, in this also. I mean,

9 there were just a multitude of things just to make
10 everything work properly.

11 BLOOM: This has been a progress in motion once
12 this--it's--it really has. And we're going out
13 tomorrow night to Leo-Cedarville for our
14 Commissioners night out, and we want to make sure to
15 tell them that everything is going to be just
16 fabulous.

17 HARTMAN: It will. It will.

18 BLOOM: Good. Thank you.

19 IRVING: Well, we'll tell them--

20 PETERS: Bill--

21 IRVING: --Mr. Hartman said that, how's that?

22 PETERS: --Bill, the question I have, and what I
23 noted in this, I think I understand as Commissioner
24 Bloom explained it, but sometimes it takes just a
25 little longer to grasp than perhaps necessary. Allen

0051

1 County's share in this particular project increases.

2 Leo-Cedarville's share increases.

3 BLOOM: Uh-huh (affirmative).

4 PETERS: But Grabill's share actually decreases. Any
5 idea what might have caused that?

6 HARTMAN: Well, I just have to find this--

7 PETERS: It seems to me that we must have taken
8 something away from--

9 HARTMAN: There's--yeah. And I--you've got me.

10 PETERS: Okay.

11 BLOOM: I remember you answering--

12 HARTMAN: You've got me because I--

13 BLOOM: --this question to me when I asked. And
14 it's--

15 HARTMAN: But I--I'm not sure which specific item--

16 PETERS: Okay.

17 BLOOM: Okay.

18 HARTMAN: --you know, was in the Grabill area.

19 PETERS: But there has indeed been an item that's
20 been--

21 HARTMAN: Right.

22 PETERS: --taken away?

23 HARTMAN: Right. Well, Item 20, the concrete curb
24 and gutter--I don't know why it--we evidently eliminated
25 some concrete curb and gutter in the Grabill area and

0052

1 increased it in other places--
2 PETERS: Right.
3 HARTMAN: --because it's a--it's an increase in the
4 item here, so--
5 PETERS: Okay. But--
6 HARTMAN: --that's--
7 PETERS: --but it has been eliminated from
8 Grabill's--
9 BLOOM: Uh-huh (affirmative).
10 PETERS: --from construction there?
11 BLOOM: Uh-huh (affirmative).
12 HARTMAN: Yeah.
13 PETERS: All right. All right, I'd make a motion on
14 Change Order #3 between Allen County and Wayne
15 Asphalt and Construction.
16 IRVING: I'll second the motion.
17 BLOOM: All in favor, signify it by saying, "Aye."
18 PETERS: Aye.
19 IRVING: Aye.
20 BLOOM: Aye. Ap--
21 IRVING: Sorry.
22 BLOOM: --Approve a corrective Warranty Deed required
23 for additional right of way acquisition on Kress
24 Road, Project #03-056 from Roland Hern and Donna
25 Hern. It's a corrective one?

0053

1 IRVING: Yes.
2 BLOOM: Okay.
3 IRVING: So moved.
4 PETERS: I'll second it.
5 BLOOM: All in favor, signify it by saying, "Aye."
6 PETERS: Aye.
7 IRVING: Aye.
8 BLOOM: Aye. Approve Warranty Deed required for
9 additional right of way acquisition on Scipio Road
10 Bridge over Wann Ditch (Bridge #9), from Parcel 1.
11 IRVING: So--
12 PETERS: I'd so--
13 IRVING: Go ahead.
14 PETERS: --I'd so move on that Warranty Deed.
15 IRVING: I'll second it.
16 BLOOM: All in favor, signify it by saying, "Aye."

17 PETERS: Aye.
18 IRVING: Aye.
19 BLOOM: Aye. Anything else this morning, Bill?
20 HARTMAN: That's all we have today. Thank you very
21 much.
22 BLOOM: Thank you.
23 IRVING: Susan, are we going to add these contract
24 additions and these completions?
25 ELSER: Yes, on--

0054

1 IRVING: Were they to be added?
2 ELSER: --yes, they were to be added. I'm sorry.
3 IRVING: Okay. Commissioner Bloom--
4 BLOOM: So Other Business? Okay.
5 IRVING: Yeah. Commissioner Bloom and Commissioner
6 Peters, I have the copies for the completion in the
7 Juvenile Justice Center--
8 BLOOM: Good.
9 IRVING: --from Land Construction Corporation that
10 has been signed. So we don't--we need a motion on
11 that, right?
12 ELSER: Yes.
13 IRVING: Okay, I make a motion that we accept the
14 final approval to Land Construction Corporation.
15 PETERS: I'll second that.
16 BLOOM: All in favor, signify it by saying, "Aye."
17 PETERS: Aye.
18 IRVING: Aye.
19 BLOOM: Aye.
20 IRVING: Second is a Change Order #24 to W. A. Sheets
21 & Sons. It's a contract addition for the Juvenile
22 Center for \$112,390.00. And before you gasp, this is
23 part of the concrete flow channel and spillway in the
24 piping that we did for--in Spy Run Creek. The City
25 has participated with us in that. I apologize. I--I

0055

1 forgot this was going to be on this week to be honest
2 with you, but the City is reimbursing us as a
3 partnership for being able to capture more flow off
4 of the Spy Run Creek and to lessen the flow going
5 back into the creek to help with the downstream
6 flooding on this. So we will be getting a portion of
7 this back, but we have to pay for it up front in the

8 bond. So with that, I make a motion that we approve

9 Change Order #24 for W. A. Sheets.

10 PETERS: I'll second that.

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

12 IRVING: Aye.

13 PETERS: Aye.

14 BLOOM: Aye. Any other business, Susan?

15 ELSER: No, I have no other business.

16 IRVING: I make a motion we approve to waive the

17 second reading on any matter which--that were

18 approved today.

19 PETERS: I'll second that.

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

21 PETERS: Aye.

22 IRVING: Aye.

23 BLOOM: Aye. Any comments from the public this

24 morning? You've waited so long. Please come

25 forward, please. Or would you be more--

0056

1 YODER: No, I'm fine.

2 BLOOM: Okay. Good morning.

3 IRVING: Good morning.

4 YODER: Good morning. I am thoroughly encouraged

5 because, believe it or not--I call it touchpoints of

6 the heart, okay. I know each one of you, in some way

7 or another, and I know how hard you work. And I know

8 things are getting so crazy, the right hand often

9 doesn't know what the left hand is doing as they

10 rewrite the book. And I'm going to be a rebel. I

11 have things prepared that I will leave.

12 BLOOM: Okay.

13 YODER: But I believe it's time to talk about the

14 faith community and the difference that we can make

15 and are making. Nelson, I've got to tell you this.

16 And if it's appropriate, I have pictures.

17 PETERS: Uh-oh.

18 YODER: Not of you.

19 PETERS: Oh, good.

20 YODER: My daughter--one of our daughters is a gal

21 named Deb Yoder. And she told me that you and she

22 used to get along pretty good, that you were kind

23 of--you had things in common. And I thought it might

24 interest you to know that she is now working at

25 O'Hare Field for Homeland Security.

0057

1 PETERS: Oh, good.

2 IRVING: How nice?

3 YODER: Which is part of--I ki--I thought I was put
4 together, but you know how that goes.

5 BLOOM: You're fine.

6 YODER: They say that people can make a difference.

7 Dang, it's taken me 73 years, but maybe I know a

8 little bit. And I--I've kind of put something

9 together because I was over in--in--well, I live in

10 west central, like it or not. I'm the wrong side of

11 the tracks, okay. I always am the wrong side of the

12 tracks, but it's a learning experience. I remember

13 talking to you--

14 IRVING: Uh-huh (affirmative).

15 YODER: --when you had your other job and how kind

16 and gracious you were to me.

17 BLOOM: Your other job.

18 IRVING: Thank you.

19 BLOOM: That's nice.

20 IRVING: Thank you. But we don't ever look at

21 anything being from the wrong side of the tracks.

22 YODER: Well--no, I'm--

23 IRVING: We're all a community.

24 YODER: --I'm--I'm halfway joshing. But it's a good

25 place to be actually. And I would go over on the

0058

1 other wrong side of the tracks a couple of weeks ago

2 and that is why--ready?

3 BLOOM: Yes.

4 YODER: --I am compelled to speak out again. My name

5 is Marilyn Yoder. I choose to speak freedom of, not

6 only for myself, but for the collective minorities.

7 There seems to be some confusion as to whether we are

8 a dumb city, a city of faith, all-American city,

9 etcetera. I have found, number one, it's easy to

10 tell others what to do, say, etcetera, but if it

11 doesn't work in your own house, something is wrong.

12 I would expect it has something to do with the school

13 of hard knocks. If you haven't been there, you just

14 don't get it. But--any arguments here? You're free

15 to ask questions, okay? You use me as an example.

16 And I most surely understand suppression, oppression,
17 depression. It's like sequestered in hell. I am
18 confident that it is as spin city as they rewrite the
19 book, that other book, that the city of faith where
20 faith works will prevail, that the children will have
21 a hope and a future. There are so many valid,
22 desperate concerns that I hope to have creative ideas
23 which I plan to present appropriately. Let's just
24 say, "Home--Land--Security" has taken on new meaning.
25 And I present, as a non-conforming broker for the
0059

1 children, if you take away faith and hope, you take
2 away the will to live. And whoever becomes part of
3 the problem instead of part of the answer--and Andy,
4 I was thrilled to see him here. I--he has been so
5 gracious and so kind to me. And my neighborhood,
6 west central--

7 IRVING: Andy Downs.

8 BLOOM: Uh-huh (affirmative).

9 YODER: --just off of Taylor, we had a water main
10 break one Sunday morning, really early, and the
11 neighbors were screaming at me to call the media.
12 And instead, 7:00 on a Sunday morning, I called Andy
13 when he was Chief of Staff and I said, "Thought you
14 might want to know"--and it's crazy out there.
15 Believe me, it is. I've thought of running away from
16 home, but I realized I have to take me along. You
17 know?

18 IRVING: That's cute.

19 YODER: He is, I call, a man of uncommon wisdom. And
20 he has always, as many in the city have, been
21 faithful to call me back as crazy as it's getting, as
22 wild as it's getting. But there really are--I mean,
23 I have a paper trail of things. And I'm going to
24 expand on this a little bit if you would give me--

25 BLOOM: Do you know what we need to do?

0060

1 YODER: What do you need to do?

2 BLOOM: We need to close the meeting and--

3 YODER: Okay.

4 BLOOM: --then you can chat with the three of us or
5 whatever--

6 YODER: That's fine.

7 BLOOM: --at a later time.

8 YODER: I don't care because I have papers I will
9 leave for you.

10 BLOOM: Okay.

11 YODER: And I have a paper trail that I'm working on,
12 and I think--

13 BLOOM: All right.

14 YODER: --we can do some good things for the City,
15 the County, starting with my backyard.

16 BLOOM: And we would like to hear about this.

17 YODER: And we can do it.

18 BLOOM: Okay.

19 YODER: We need a little bit of encouragement,
20 especially for all of the downtrodden people who
21 can't figure out how to put one foot in front of the
22 other.

23 BLOOM: Okay.

24 IRVING: Well, thank you very much. We have a
25 stenographer who does all of our minutes, so with
0061

1 that I--

2 YODER: I have--I have copies of everything except--

3 BLOOM: Great.

4 IRVING: Okay.

5 YODER: --except my off script.

6 IRVING: That's great.

7 YODER: And Nelson, if you want to see what Deb looks
8 like now--

9 PETERS: I'd love to.

10 BLOOM: Okay.

11 IRVING: I ma--

12 YODER: May I?

13 IRVING: --I make a motion we adjourn the meeting.

14 PETERS: I'll second it.

15 BLOOM: Meeting adjourned.

16 (Adjourned at 11:00 a.m.)

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0062

1 STATE OF INDIANA)
) SS:

2 COUNTY OF ALLEN)

3

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 July 20, 2005 in the Allen County
11 Commissioner's 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 25th day of July, 2005.

18
19

Kimberlee M. Adams, Notary Public
Residing in Allen County, Indiana

20
21

My Commission Expires:
22 December 2, 2011