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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 August 3, 2005

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13
14 DATE: August 3, 2005

15
16 TIME: 10:13 a.m.

17
18 LOCATION: Room 200
19 Commissioners Courtroom
20 City-County Building
 1 East Main Street
 Fort Wayne, Indiana 46802

21
22 REPORTER: Kimberlee M. Adams

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25
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1 PRESENT:
2 Linda K. Bloom Allen County Commissioner
3 Marla J. Irving Allen County Commissioner
4 Nelson Peters Allen County Commissioner
5 Susan Elser Allen County Board of
 Commissioners Office

6

- 6 Mary Hitchens Allen County Public
- 7 Information Office
- 8 John McGauley Allen County Public
- Information Office
- 9
- 10 G.W. Fishing Allen County Counsel
- 11 Mike Fitch Director, Allen County
- Highway Department
- 12 Randy Brown General Manager, Allen
- County Memorial Coliseum
- 13
- 14 Jean Nicolet Election Board
- 15 Michelle Wood Department of Planning
- Services
- 16 Brian Dumford Allen County Human Resources
- 17 Kimberlee M. Adams Rolf Reporting, Inc.
- 18 Cindy Larson News Sentinel
- 19 Kevin Leninger News Sentinel
- 20 Ben Lanka Journal Gazette
- 21 Jennifer Cross WANE-TV
- 22 Ron Harmeyer WANE-TV
- 23 Kasey Butcher WOWO
- 24
- 25

0003

1	I N D E X	
2		Page
3	Presentations by:	
4		
5	Jeanne Nicolet	7
6		
7	Randy Brown	12
8		
9	Mike Fitch	22
10		
11	Bill Fishing	31
12		

13
14
15
16
17
18
19
20
21
22
23
24
25
0004

Page

2 Agenda:

3

1. Approval of the Minutes of 7-27-05 7

4

2. Amendment to the Allen County Code:

5 Title 11 (Election Board), Article 2

(Order Establishing Precincts) 7

6

3. Bid Award to Brooks Construction Company

7

for the renovation of the Memorial
Coliseum Parking Lots in the amount of

8 \$626,896.00 12

9 4. Appointment to a Common Wage Committee

for the following project - Indiana

10 University Purdue University Fort Wayne

Music Building - 2005 20

11

5. Ratification of contract with the Indiana

12 State Board of Animal Health for Bovine

Brucellosis and Tuberculosis Eradication

13 Programs with Allen County 21

14 6. Approve Change Order #4 for the Sumter

Drive Extension, Project #03-301, Bid

15 Reference #28-04, between Wayne Asphalt

and Allen County - Total Change Order #4;

16 \$1,771.04 DECREASE 22

17 7. Approve revised Sidewalk/Ramps

Investigation and ADA Compliance

18 proposal, dated July 27, 2005, between
A & Z Engineering and Allen County.

19 Total lump sum fee \$10,000.00 23

20 8. Approve Supplemental Agreement #4
required for additional design services
21 between GAI Consultants and Allen County
for Leo Road/Mayhew Road Intersection,
22 Project #02-028; Total SA#4, \$2,600.00
Increase 24

23

24

(Agenda continues)

25

0005

1

(Agenda continued)

2

9. Approve Joint Incident Management
3 Agreement between INDOT, City of Fort
Wayne, Allen County, City of New Haven
4 resulting in potential short term
emergencies 25

5

10. Approve Warranty Deed for additional
6 right of way acquisition on the Scipio
Road Bridge over Wann Ditch, (Bridge #9),
7 Project 00-021, from:

8 a) Parcel 2 - James and Ruth
Thompson 28

9

11. Approve traffic posting changes at the
10 following locations: 28

11 a) Dolcetto Cove @ Sorrento Blvd.,
Post STOP

12

b) Madonna Drive @ Alberta Drive,
13 Post STOP

14 c) Zuber Drive @ Alberta Drive, Post
STOP

15

d) Ara Drive @ Havenwood Drive, Post
16 STOP

17 e) Ara Drive @ Venison Trail, Post
STOP

18
f) Ravenswood Blvd. @ Hathaway Road,
19 Post STOP

20 12. Approve preliminary engineering agreement
between American Consulting Engineers and
21 Allen County for Zubrick Road Relocation
and Improvements 29

22
13. Plats for Signature: Wescott Ridge,
23 Section II; Brenton Glens, Section II;
Watersong, Section III 29

24
25 (Agenda continues)

0006

1
(Agenda continued)

2
3
14. Other Business 31

4
15. Approval to waive the 2nd reading on any
5 matter approved today for which it may be
deemed necessary for the Legislative
6 Session of August 3, 2005 37

7 16. Comments from the Public 37

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
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1 BLOOM: Good morning and welcome to the Commissioners
2 Legislative Session, August 3rd. First we are going
3 to commemorate our country and a silent moment
4 please.

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

8 BLOOM: Thank you. Approval of the Minutes of July
9 27th.

10 PETERS: I make a motion to approve the Minutes of
11 July 27th.

12 IRVING: I'll second it.

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

14 PETERS: Aye.

15 IRVING: Aye.

16 BLOOM: Aye. Amendment to the Allen County Code:
17 Title 11 (Election Board), Article 2 (Order
18 Establishing Precincts). Hi.

19 IRVING: Good morning.

20 NICOLET: Jeanne Nicolet from the Election Board.

21 PETERS: Good morning.

22 BLOOM: Yes, it is.

23 NICOLET: The order has been previously approved.

24 However, the State has requested that we separate the
25 order into two separate orders. And also, there were

0008

1 a couple of minor corrections. A portion of the
2 southwest annexation was omitted from the first order
3 and that has now been amended.

4 BLOOM: Okay.

5 NICOLET: And the other was just a few name changes,
6 no other boundary changes. And the purpose of
7 separating the order was so that the precincts that
8 are going to have more than 1200 registered voters
9 will need special approval at that State. The other
10 will not. So the process that that will take for
11 approval will be different. And it said the State
12 has requested that we separate it into two orders for
13 that reason.

14 BLOOM: So in other words, you're not keeping the

15 precinct limit, like I thought it was 800 or
16 something.

17 NICOLET: They changed that.

18 BLOOM: You're allowing--

19 NICOLET: It is now 1200. But Allen County has--we
20 have 12 precincts that even though the number of
21 registered voters if we combine these would be over
22 the 1200.

23 BLOOM: Right.

24 NICOLET: We have very good records that show that
25 these people are no longer there, and therefore, the
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1 number that are actually showing up to vote are so
2 small--

3 BLOOM: Okay.

4 NICOLET: --that it makes good economic sense to
5 combine them in spite of the fact that the number
6 would be over 1200.

7 BLOOM: Okay. I may have one of those precincts
8 because it looks like I have an enormous amount of
9 people, and yet the turnout--

10 NICOLET: Is very small.

11 BLOOM: Uh-huh (affirmative).

12 IRVING: This becomes effective January 1st, 2006?

13 NICOLET: For that election, yes.

14 IRVING: Oh, there's an election next year?

15 NICOLET: Yes.

16 PETERS: Jeanne--Jeanne, do you have any idea what
17 the difference in process will be--

18 BLOOM: (to the court reporter) It's us.

19 PETERS: --for the approval with less than 1200 and
20 that which is more than 12 [1200]. I just--I mean, I
21 heard what you said, I just--I can't fathom why they
22 would want to separate them out.

23 NICOLET: It's a due change in law. The process used
24 to be that everything went before the Commission in
25 Indianapolis. And now those that have been approved
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1 by the State, in other words, that are no district
2 violations--

3 PETERS: Will not.

4 NICOLET: --will now come back to the Commissioners
5 for publication in the newspapers. And then the

6 public will then have 10 days to respond with any
7 objection. If there is no objection, they are
8 therefore approved and they do not have to go before
9 the Commission.

10 PETERS: Okay.

11 NICOLET: But those that violate the 1200 number
12 or--or have a district problem have to go before the
13 Commission.

14 PETERS: Okay, so it sounds like it might actually
15 expedite the--the--

16 BLOOM: Process--

17 PETERS: --total process.

18 BLOOM: --yeah.

19 NICOLET: It will expedite those except those that
20 need to go before the Commission--

21 PETERS: Right.

22 NICOLET: --because they're too large.

23 PETERS: But I mean, before, everybody used to have
24 to go in front of the Commission, right? Now--

25 NICOLET: That is correct.

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1 PETERS: Okay, good.

2 IRVING: Jeanne, I just have one other question.

3 NICOLET: Yes.

4 IRVING: I know the answer, but maybe you could tell
5 our TV audience. When will the people that live in
6 these precincts that their number will change because
7 they are in the process of being annexed, when will
8 they be notified for the 2006 election?

9 NICOLET: Sometime after the 1st of January because
10 we want to make sure that the precinct locations are
11 contracted by then, so we're giving out correct
12 information.

13 IRVING: Right.

14 NICOLET: Rather than mail them something that could
15 then change again a short time later.

16 IRVING: May I invite you to, after you have sent out
17 all of the change cards to the voters, that you come
18 and tell us that that project has been complete, and
19 if anyone has any questions, the phone number and/or
20 the website that they can go to to check on their
21 voting again.

22 NICOLET: I can do that.

23 IRVING: Okay. I make a motion we approve.
24 PETERS: I'll second it.
25 BLOOM: All in favor, signify it by saying, "Aye."

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1 PETERS: Aye.
2 IRVING: Aye.
3 BLOOM: Aye. Thank you.
4 IRVING: And have a wonderful week.
5 NICOLET: You too.
6 BLOOM: Bid Award to Brooks for the renovation of the
7 Coliseum Parking Lots, \$626,896.00.
8 IRVING: Good morning, Randy.
9 BLOOM: Good morning.
10 BROWN: Good morning, folks. I'm--
11 PETERS: Good morning.
12 BROWN: --Randy Brown, General Manager of the Allen
13 County War Memorial Coliseum. We did bid the
14 renovation work for the Coliseum parking lot. We
15 received four bids. The low bidder is the Brook
16 Construction Company. What we're suggesting today is
17 that we award the base bid, which is the general
18 parking area, and then six bid alternates.
19 IRVING: Uh-huh (affirmative).
20 BROWN: The reason for the large number of bid
21 alternates, there has been so much flux in the
22 petroleum pricing, we wanted to make sure that we
23 would be within budget. And so we actually broke it
24 out just to give a quick rundown of what the
25 alternatives are. Bid Alternate One is the south

0013

1 parking lot. That's the lot closest to the Appleseed
2 gravesite, that end. Bid Alternate Two is our VIP
3 parking lot. Bid Alternate Three is the drive where
4 you stop to pick up tickets. We're actually putting
5 a coating sealant on that area versus three inches of
6 insulation in all the other areas. The stadium
7 parking lot, the same thing, coating and sealing that
8 space. That's Bid Alternate Number Four. Bid
9 Alternate Number Five is a drive casting. We're
10 actually widening the Parnell entrance way. And
11 right now if you're coming--going from the north,
12 you're making a pretty tight righthand turn. By
13 widening that driveway, it will speed traffic

14 entering the parking lot as people are coming in for
15 events. And the last, Bid Alternate Number Six, is
16 resurfacing the \$6.00 parking lot. Total Bid Award
17 for the base bid and the bid alternates one through
18 six is \$626,896.00, and again, to the Brooks
19 Construction Company.

20 IRVING: What was your engineering's estimate on
21 that? I don't see it on here.

22 BROWN: The engineering estimate budget is
23 \$650,000.00 which includes architectural fees. So
24 I'm happy to report, we are on budget.

25 IRVING: I make a motion to approve.

0014

1 PETERS: Well, I'll--I'll second it, but I've got
2 another question yet.

3 BROWN: Sure.

4 PETERS: When was the last time this was done? What
5 do you see as the longevity for this current project?
6 And specifically, will parking lot fees pay for this?
7 I probably should have asked--

8 BROWN: Well--

9 PETERS: --them one at a time, but--

10 BROWN: --that's actually a very good question. Last
11 time we did any significant work on the parking lot,
12 actually we expanded our parking three years ago, if
13 you recall, as part of the arena renovation work,
14 arena expansion, when we added to the--

15 BLOOM: How many spots?

16 BROWN: --on the north end of the building. Right.
17 Added two [200] to 300 spots.

18 IRVING: Uh-huh (affirmative).

19 BROWN: I don't believe it's quite 300, but in that
20 range.

21 BLOOM: Okay.

22 BROWN: So that's the last time any specific parking
23 lot work was done. Prior to that, I'll say, if we go
24 back, we were always doing some cut and fill work.
25 There's always some bad spots with winter snowplowing

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1 and what-have-you. We're typically putting anywhere
2 from 20 [\$20,000.00] to \$50,000.00 per year into the
3 parking lot. But you have to go back probably 12
4 years since the last time we did--

5 BLOOM: Helpful--

6 BROWN: --a coating or sealant--

7 BLOOM: Okay.

8 BROWN: --on it. And we actually did the whole
9 parking lot at that time. The Stadium lot was
10 new--it's hard to believe, but it's been 13 years
11 ago. So it's time to seal it. Actually we're
12 probably running a little bit long. But one of the
13 questions frequently asked is, is that parking lot
14 ever paid for. Because I think where you're coming
15 from Mr. Peters, yeah, there's been some talk many
16 years ago there was a plan that parking would be a
17 quarter and if the lot was paid for. Parking fees
18 are just one revenue stream, much like rental fees
19 and concessions, with how we pay our bills at the
20 Coliseum. Because on our operating fund, we don't
21 receive any subsidies, we have to work off of earned
22 revenues. And parking is just one of those earned
23 revenues with how we pay our bills. So is the
24 parking lot ever paid for? Well, is the Coliseum
25 ever paid for? As long as we have million dollar

0016

1 utility payments and staff and setup costs, we're
2 always going to have obligations. And it's the
3 rental--the revenue fees, that's how we pay our
4 bills.

5 PETERS: All right. Appreciate it.

6 BROWN: Hope that helps.

7 IRVING: Well, isn't it another way of keeping the
8 Memorial Coliseum off the tax rolls and making sure
9 that the users, which I know that there's, what,
10 60%--and I don't know what your license plate total
11 was the last time of people from Ohio and surrounding
12 counties can--can pay for the Coliseum to keep it off
13 our tax rolls here for just Allen County.

14 BROWN: Right. Last time we did a survey, we found
15 that 60% of our guests were non-Allen County guests.
16 It varies with events of course. But most facilities
17 of our type lose money. In other words, they look to
18 the municipality, in this case the County, for
19 subsidy for--to make up any shortfall in their
20 operating. We're unique in the country. There
21 aren't too many facilities like us that are able to

22 pay their own way. So--I get call all the time with
23 municipalities, mayors, calling, "How do you do it?"
24 BLOOM: "How do you do this?" Yeah.
25 BROWN: And the answer is, we run it as a business.
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1 Yeah. We look at the cost of doing business, we
2 adjust accordingly. But clearly, the other part of
3 that is volume. We--and we're having a remarkable
4 year this year. It looks like we're going to have
5 our best total event load ever. Last year we
6 finished, I believe, it was 1834 used stays. That
7 has to do with the number of events taking place.
8 There's nothing like volume to help pay the bills.

9 IRVING: I put a motion on the floor.

10 PETERS: Call for the question.

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

12 PETERS: Aye.

13 IRVING: Aye.

14 BLOOM: Aye. Thank you.

15 BROWN: Thank you, folks.

16 IRVING: Randy, before you get up, if you could just
17 tell us in 50 words or less--I know you don't like to
18 brag on yourself or your facility--

19 BLOOM: Oh, yes, he does.

20 IRVING: --but you attended the New Haven
21 Commissioners Night Out. You had just been notified
22 that you had gone up in the rankings. Maybe you
23 would like to share that with our TV audience.

24 BROWN: Well, it's interesting that this is a new
25 ranking, one that we haven't looked at. Because

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1 frankly, 10 years ago when Street and Smiths did a
2 ranking of minor league sports markets, we didn't
3 place very well. I'm not sure we broke the top 200.
4 But in the current magazine--Street and Smiths is
5 essentially the Wall Street Journal of sports. They
6 track majors, minors, all the way around. But they
7 tracked the top 230 minor league markets across the
8 United States. And I'm happy to tell you today that
9 we placed Number Seven in the country. And--yeah.
10 Thank you.

11 PETERS: Great.

12 BROWN: But also--and I gave you a copy of this this

13 morning.

14 IRVING: Uh-huh (affirmative).

15 BROWN: If you go back several pages, it talks about
16 which markets are moving up, and we're--we're noted
17 as a hot market. We are moving up, and so,
18 Commissioner Peters threw down the gauntlet to me,
19 it's like, "Next year, could you--could you try to be
20 Number One?" And we will--we'll do our best to do
21 that. It's--we're--we're fortunate. We've got a
22 great group of owners of our franchises. I mean, you
23 think the longevity of the Komets.

24 BLOOM: Yeah.

25 BROWN: Fifty-four [54] years is unheard of. The
0019

1 success that the Wizards have had. Indoor football
2 setting records. And they don't really qualify
3 within minor league markets, but IPFW Division I,
4 they had last year, I believe, the single largest
5 increase in Division I in attendance.

6 BLOOM: Is that right?

7 BROWN: So they're doing a great job, and I think
8 you'd be really surprised this year. So it's
9 our--it's our franchises, the work they're doing.
10 It's the facility. We wouldn't be ranked where we
11 are if it wasn't for the expanded facility.
12 But--so, you're part of that too, so thank you very
13 much for your support.

14 PETERS: Well, congratulations to you. It's a credit
15 to you and your staff.

16 BROWN: Absolutely. It's a team of people. And
17 it's--it's our community. Because it it wasn't for
18 our ticket-buying public, we wouldn't be where we
19 are. So--

20 IRVING: Randy also pointed out an interesting fact.
21 Randy is going to be joining us on our trip to
22 Greenville, South Carolina to look at how they have
23 renovated their city and some of the things that they
24 have done. And Randy happened to notate to me that
25 Fort Wayne is on the rise, and on the slide was

0020

1 Greenville, South Carolina. So it's going to be
2 interesting in our trip next month to Greenville,
3 South Carolina to see if maybe we can share a few

4 things with them.

5 BROWN: The facility manager is a colleague and a
6 friend--

7 IRVING: I know.

8 BROWN: --so I'm sure I'll rib him a little bit about
9 that and let him know. But looking forward to it.

10 IRVING: Well, I thought about maybe making buttons
11 that we could wear at--there, since we do know he is
12 a friend of yours. Thank you, Randy.

13 BROWN: Thank you, folks. Have a good day.

14 BLOOM: Thank you. Appointment to a Common Wage
15 Committee for the following project, IPFW Music
16 Building.

17 ELSER: The name before you today for your
18 consideration is Brian Dumford.

19 PETERS: I make a motion to appoint Brian Dumford to
20 the Common Wage Committee for the IPFW Music
21 Building.

22 IRVING: I'll second that motion.

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

24 PETERS: Aye.

25 IRVING: Aye.

0021

1 BLOOM: Aye. Ratification of contract with the
2 Indiana State Board of Animal Health for Bovine
3 Brucellosis and Tuberculosis Eradication Programs
4 with Allen County.

5 ELSER: Commissioner Bloom, this is an agreement that
6 comes before you yearly with the Indiana State Board
7 of Health.

8 PETERS: Let me--I don't know whether you can answer
9 this or not, but as I went through my paperwork, I
10 had seen that that had already been signed.

11 ELSER: That had been signed. You are ratifying it
12 as it was signed and sent back to the State. They
13 needed it before you had done it in legislative
14 session.

15 PETERS: Okay.

16 ELSER: It came--

17 PETERS: I mean, I presume that our--by affixing our
18 signatures, we were ratifying it whenever we did it.
19 That's obviously not the case.

20 FISHERING: The ratification only means that you can

21 (inaudible) after.
22 PETERS: Okay.
23 ELSER: It's done during your legislative session.
24 PETERS: Okay. If that's the case, I'll move for
25 ratification of the contract with Indiana State Board
0022

1 of Health for--
2 IRVING: Would you like to--
3 BLOOM: Brucellosis and tuberculosis.
4 IRVING: You don't want to--
5 PETERS: No, I wasn't going to go there.
6 IRVING: You're not going to? I'll second that
7 motion to whatever Nelson just said.
8 BLOOM: All in favor, signify it by saying, "Aye."
9 PETERS: Aye.
10 IRVING: Aye.
11 BLOOM: Aye. Approve Change Order #4 for the Sumter
12 Drive Extension, Project #03-301. Good morning.
13 FITCH: Good morning. Mike Fitch, Allen County
14 Highway.
15 IRVING: Good morning, Mike.
16 FITCH: Good morning.
17 BLOOM: We have a decrease of \$1,771.04.
18 FITCH: This, we're finding--finaling out this
19 project and this is just a culmination of all the
20 paid items come out as a decrease.
21 BLOOM: Yes.
22 IRVING: I make a motion we approve.
23 PETERS: I'll second it.
24 BLOOM: All in favor, signify it by saying, "Aye."
25 PETERS: Aye.

0023

1 IRVING: Aye.
2 BLOOM: Aye. Approve revised Sidewalk/Ramps
3 Investigation and ADA Compliance proposal between
4 A & Z Engineering and Allen County. Total lump sum,
5 \$10,000.00.
6 FITCH: Just to--we corrected the--instead of using
7 an hourly rate agreement, we asked our consultant to
8 submit a lump sum.
9 BLOOM: Uh-huh (affirmative).
10 FITCH: We went back and--and did some rough
11 calculations of how much time it would actually take

12 to complete the work and converted that into a lump
13 sum amount.

14 BLOOM: Okay.

15 PETERS: So we were actually able to reduce that
16 contract from \$30,000.00--

17 FITCH: Yes. The original estimate was--

18 PETERS: --to \$10,000.00.

19 FITCH: --I originally estimated between 15
20 [\$15,000.00] and 20 [\$20,000.00]. And I don't know
21 where the number 30 [\$30,000.00] came from, but
22 somehow it showed up.

23 BLOOM: Those were estimates.

24 FITCH: Those were estimates.

25 BLOOM: This is a lump sum.

0024

1 FITCH: This is a lump sum amount.

2 BLOOM: Okay.

3 FITCH: We have, I think, a pretty good idea of
4 what--what it's going to take to complete the work.

5 BLOOM: Okay.

6 IRVING: I make a motion we approve.

7 PETERS: I'll second it.

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

9 PETERS: Aye.

10 IRVING: Aye.

11 BLOOM: Aye. Approve Supplemental Agreement #4
12 required for additional design between GAI and Allen
13 County for Leo Road/Mayhew, \$2,600.00 increase.

14 FITCH: These plans are being finalized as we speak.
15 We had asked them to make some last minute changes to
16 the plans to--

17 BLOOM: Uh-huh (affirmative).

18 FITCH: --to complete the design, and this will
19 basic--finalize the project completely.

20 IRVING: I make a motion we approve.

21 PETERS: I'll second it.

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

23 PETERS: Aye.

24 IRVING: Aye.

25 BLOOM: Aye.

0025

1 IRVING: Thank you.

2 BLOOM: Approve Joint Incident Management Agreement

3 between INDOT, City of Fort Wayne, Allen County, City
4 of New Haven resulting in potential short term
5 emergencies. This one tells us nothing, so would you
6 give us--

7 FITCH: Okay.

8 BLOOM: --a picture of this?

9 FITCH: Okay. The agencies that you mentioned, the
10 public safety elements of Fort Wayne, Allen County,
11 New Haven, and INDOT have been meeting over the last
12 couple of years. They developed a plan along I-69
13 and 469 to--to control the traffic. Any time there's
14 an accident, there's a ramp closure, anything that
15 would create a diversion of traffic has been put into
16 this incident manual.

17 BLOOM: Right.

18 FITCH: Each dispatch office will have a copy of
19 this. And when an accident is reported, they will
20 implement this incident manual. It sets up detours
21 for people. Once you're diverted off an interstate,
22 for example, they will have signs on the detour,
23 permanent signs, different colored signs, to direct
24 people to get back to the interstate. And you know,
25 I say, it seems like I-69 has a truck roll over or

0026

1 something every week.

2 BLOOM: I know.

3 FITCH: And people don't know where to go.

4 They--they just throw them off on the county road and
5 hopefully they find their way back. This way they
6 will be--

7 IRVING: We've had a few lost for a couple of years,
8 Mike.

9 FITCH: Right. Yeah. And so this will direct them
10 back to the interstate.

11 BLOOM: Did you say that?

12 FITCH: This is all part of INDOT's incident
13 management plan statewide. They have signs south on
14 69 and north on 69. It's a computerization system
15 that's controlled up on, I think, the Borman
16 Expressway. Even though we don't consider ourself
17 like Chicago to have that amount of traffic, we still
18 have enough traffic that it creates major problems
19 when they--

20 BLOOM: Absolutely.
21 FITCH: --get deferred off the interstate. So this
22 will--basically, we'll have a pre-planned route for
23 anything that could possibly happen. So this is a--
24 BLOOM: This is good.
25 FITCH: --great thing for--

0027

1 IRVING: Very good.
2 BLOOM: Yeah.
3 FITCH: --I think, the people that are traveling
4 through our area--
5 IRVING: Right.
6 FITCH: --to not get lost.
7 PETERS: Mike, the Joint Incident Management
8 Agreement will no doubt necessitate additional
9 signage costs for various other things. Any thoughts
10 on how those are going to be paid for?
11 FITCH: Yes. INDOT, the agreement spells out that
12 INDOT's going to pay for all of these signs. It will
13 not cost the County any additional money to implement
14 this plan.
15 PETERS: Great.
16 FITCH: The only--the only time that we would get
17 involved is if there is an intersection that we feel
18 needs to have a sheriff deputy--for example, maybe
19 it's an intersection that--it doesn't--it's a stopped
20 road, they need an officer out there, then the
21 Sheriff's Department would send an officer to that
22 location to direct traffic during that closure.
23 PETERS: Will those costs take care of not only the
24 signage, but the labor?
25 FITCH: Yes. They're going to install the signs, the

0028

1 permanent signs.
2 PETERS: They're going to do it?
3 FITCH: They're going to do it.
4 PETERS: Okay.
5 FITCH: We don't have any--the agreement just allows
6 them to install the signs. We have--our department
7 has been working with INDOT to where the signs should
8 go. And we're working with them on that.
9 PETERS: Okay, good. I make a motion to approve the
10 Joint Incident Management Agreement between INDOT,

11 City of Fort Wayne, Allen County, and the City of New
12 Haven.

13 IRVING: Second the motion.

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

15 PETERS: Aye.

16 IRVING: Aye.

17 BLOOM: Aye. A Warranty Deed for additional right of
18 way acquisition on the Scipio Road Bridge over Wann
19 Ditch, (Bridge #9), Parcel 2.

20 PETERS: I make a motion.

21 IRVING: I'll second the motion.

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

23 PETERS: Aye.

24 IRVING: Aye.

25 BLOOM: Aye. Approve traffic posting changes at the
0029

1 following locations: Dolcetto Cove at Sorrento
2 Blvd., Madonna Drive @ Alberta Drive, Zuber Drive at
3 Alberta Drive, Ara Drive at Havenwood Drive, Ara
4 Drive at Venison Trail, Ravenswood Blvd. at Hathaway
5 Road, and these are all STOP signs.

6 FITCH: Yes.

7 IRVING: I make a motion to approve.

8 PETERS: I'll second it.

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

10 PETERS: Aye.

11 IRVING: Aye.

12 BLOOM: Aye. Approve preliminary engineering
13 agreement between American and Allen County for
14 Zubrick Road Relocation and Improvements.

15 IRVING: I make a motion we approve.

16 PETERS: I'll second it.

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

18 PETERS: Aye.

19 IRVING: Aye.

20 BLOOM: Aye. Plats for signature: Westcott Ridge
21 Section II; Brenton Glens, Section II. And I'm
22 guessing that's supposed to say Watersong?

23 FITCH: Yes.

24 ELSER: Yes.

25 BLOOM: Section III. And we'll do those later with
0030

1 Michelle. Thank you.

2 FITCH: Okay. Thank you very much.
3 IRVING: And Mike, I have to--
4 BLOOM: Thank you, Mike.
5 IRVING: We were coming back and there was a detour
6 because there had been a major accident on--and I
7 can't remember if it was on 77 or if it was on
8 75--and they had to take us through the mountains.
9 And everyone--it was bumper to bumper. Everyone was
10 moving their living room couches out and setting them
11 on the porch in order to watch all this traffic and
12 it was like reliving Deliverance. So I'm glad we're
13 doing this.
14 FITCH: Well, it was about five or six years ago, I
15 got diverted off of 69 between Indianapolis and Fort
16 Wayne. And they just--like you say, just--they
17 actually just take you off, and it was one of those
18 obscure interchanges. And I--honestly, I got out in
19 county and I tried to find a road going north. I had
20 to go like 10 miles--
21 IRVING: Yeah.
22 BLOOM: Well--
23 FITCH: --west before I got north, and it took me
24 like 45 minutes to find my way back.
25 IRVING: Well, maybe on the new maps.

0031

1 BLOOM: Remember that--
2 IRVING: They just came out--
3 BLOOM: --Gutman and you and I?
4 IRVING: --for the State of Indiana. Maybe--
5 BLOOM: I did a fine job.
6 IRVING: --we ought to approach the State, and next
7 year--
8 BLOOM: I got you home.
9 FITCH: Yeah.
10 BLOOM: Seven hours later.
11 IRVING: --when they put the new maps out that they
12 have detour notations so people would know. And we
13 could also provide the maps here out of the
14 Commissioners office. Great job. Thank you.
15 BLOOM: Thank you, Mike. Additional business this
16 morning. Approval of Lease Agreement between Allen
17 County Board of Commissioners and Allen County
18 Superior Court for the building at 100 West Columbia.

19 FISHERING: Ladies and gentlemen, before you is the
20 lease with the Allen Superior Court. A copy of that
21 was forwarded to you in May for review. The only
22 significant change between the May lease which you
23 saw and this one is an addition of the requirement
24 that the Commissioners pay for the computer lines and
25 technology to be installed in the building. The

0032

1 Superior Court is paying all other expenses of the
2 renovation. If you recall, they had that approved at
3 a council last week, I believe, with the
4 exception--or together with the phone lines. These
5 are the numbers that were shared with the Council and
6 you all in May and reflects them paying, in essence,
7 a 15-year single net lease. In other words, we will
8 have responsibility for doing the maintenance on the
9 building, much like we have on this building. But
10 other than that, they're paying for all improvements
11 and the cost of the purchase of the building over a
12 15-year period.

13 PETERS: Upon approval of this lease, will a purchase
14 agreement be prepared?

15 FISHERING: Yes. As a matter of fact, the other
16 thing I wanted to ask permission was to move forward
17 on a purchase agreement. We have a draft of it in
18 hand. It basically is the form commercial real
19 estate purchase agreement. The number is incorrect
20 which is why I'm not presenting it. It was supposed
21 to be the average of the two appraisals which you had
22 done some time ago.

23 BLOOM: Right.

24 FISHERING: Unfortunately, the seller thought it was
25 the highest of the two appraisals, a natural

0033

1 oversight on his part, I--I presume. But with that
2 modification and one or two other minor things, we
3 will have that executed. We will then do a Phase I
4 environmental on that building to make sure there's
5 nothing there that our people aren't aware of.

6 PETERS: Right.

7 FISHERING: I'll get the title, insurance, and the
8 survey. And with any luck, we should close on that
9 building mid to late September.

10 PETERS: Good.

11 FISHERING: And then the Court would enter into the
12 contracts for the renovation. Your lease with them
13 commences at possession.

14 PETERS: Good. Great. Thanks. I would move
15 approval of the lease agreement between the Allen
16 County Board of Commissioners and the Allen County
17 Superior Court for the building at 100 West Columbia
18 Street.

19 IRVING: I'll second that motion.

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

21 PETERS: Aye.

22 IRVING: Aye.

23 BLOOM: Aye. We need a hearing officer for a
24 project--a grant, I believe. Do you have the
25 paperwork on this?

0034

1 ELSER: I believe it's just--

2 BLOOM: An appointment of a hearing--

3 ELSER: --an appointment of the hearing officer for
4 the--

5 FISHERING: River Haven project.

6 PETERS: It's a grant for the public--

7 ELSER: --hearing for the project.

8 PETERS: --for a--it's for a public hearing officer
9 for a grant that's been requested for sewer work in
10 the River Haven area.

11 BLOOM: Sewer and water.

12 PETERS: Sewer and water.

13 BLOOM: And it's in--the representative is going to
14 be Brian Dumford?

15 ELSER: No, it's going to be--

16 PETERS: No, it's going to be John McGauley.

17 BLOOM: Okay, John McGauley on this one. Thank you
18 very much.

19 PETERS: I'd make a motion for the appointment of
20 John McGauley as hearing officer for the sewer and
21 water project--

22 IRVING: I'll--

23 PETERS: --in River Haven.

24 IRVING: --I'll second the motion.

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

0035

1 PETERS: Aye.

2 IRVING: Aye.

3 BLOOM: Aye. Approval of a subgrant agreement Center
4 for Nonviolence, Judge Surbeck, as part of the
5 Indiana Criminal Justice Institute Grant Award.

6 ELSER: This was presented to you by Lynn Wilson.

7 She is the Allen County Grant Administrator. I

8 believe that this is part of the grant that's already

9 been awarded, but as a subgrant, it must go through
10 you.

11 FISHERING: This is part of our new process when we

12 have a uniform subgrant agreement. And this the

13 approval of that subgrant agreement to allow the

14 Superior Court to receive a grant requiring them to

15 comply with all the requirements of the grant.

16 IRVING: And it's reviewed by whom then, Mr.

17 Fishering?

18 FISHERING: It's a form that I drafted and we used

19 the first time a month ago. I can't remember--that

20 may have been a Homeland Security Grant.

21 PETERS: Uh-huh (affirmative).

22 IRVING: Okay.

23 FISHERING: Where we prepared the form because we had

24 so many people coming to you asking you to be the

25 grant recipient--

0036

1 BLOOM: Okay.

2 FISHERING: --where they were the subgrant recipient.

3 BLOOM: Okay.

4 FISHERING: So this document is just an approval of

5 them--

6 BLOOM: Okay.

7 FISHERING: --getting a subgrant and requiring that

8 they move forward and indemnify us as well as comply

9 with all the requirements of the grant.

10 IRVING: I make a motion we approve.

11 PETERS: I'll second it.

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

13 PETERS: Aye.

14 IRVING: Aye.

15 BLOOM: Aye. I'd also like to make a comment though

16 on the Other Business. I'm extremely uncomfortable

17 and we've got to make sure that we see this

18 information prior to the meetings and that all should
19 be notified depending on--or not depending on
20 who--anyone should allow us to see what we're voting
21 on before. In this particular case, these issues
22 were already advertised in the newspaper, and so I
23 felt that we should comply with the voting here. But
24 in the future, we need these by a certain date. This
25 is very uncomfortable, I think, for all three of us

0037

1 to vote on things we have very little knowledge.
2 Thank you.
3 IRVING: I make a motion that we approve to waive the
4 second reading on any matters approved today for
5 which it may be deemed necessary.
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. Any comments this morning from the
11 public? Hearing done--hearing done? Hearing none,
12 meeting adjourned. Thank you.

(Adjourned at 10:42 a.m.)

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0038

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 August 3, 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 8th day of August, 2005.

18
19 _____
20 Kimberlee M. Adams, Notary Public
21 Residing in Allen County, Indiana

22 My Commission Expires:
December 2, 2011