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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 October 13, 2005

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DATE: October 13, 2005

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TIME: 12:05 p.m.

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

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REPORTER: Kimberlee M. Adams

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0002

1 PRESENT:
2 Linda K. Bloom Allen County Commissioner
3 Nelson Peters Allen County Commissioner
4 Susan Elser Allen County Board of
 Commissioners Office
5
6 Mary Hitchens Allen County Public

6 Information Office
7 John McGauley Allen County Public
Information Office
8
9 Bill Hartman Allen County
Highway Department
10 G. William Fishing Allen County Counsel
11 Bruce Little Allen County Purchasing
Director
12
13 Lin Wilson Allen County Auditor's
Office
14 James Herman Allen County Sheriff
15 Dick Hamilton VFW 4th District
Commander
16
17 Douglas Rapp 1-293rd Infantry
18
19 Marc Rape Strand Associates
20
21 Kimberlee M. Adams Rolf Reporting, Inc.
22
23 Cindy Larson News Sentinel
24
25 Ben Lanka Journal Gazette

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3 Presentations by:
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6 Dick Hamilton 7
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8 Bill Hartman 10
9 Sheriff Jim Herman 15
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- 10 4. Approve Natural Gas Rate Agreements with
- 11 NIPSCO 9
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- 13 5. Approve Engineering Services Proposal
- 14 between A & Z Engineering and Allen
- 15 County for Fritz/Hand Road Intersection
- 16 Improvements - \$27,700.00 10
- 17 6. Approve Engineering Services Proposal
- 18 between A & Z Engineering and Allen
- 19 County for Hand/Baird Road Intersection
- 20 Improvements - \$43,700.00 11
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- 22 7. Approve Engineering Services Agreement
- 23 between Bonar Group and Allen County for
- 24 Amber Road improvements from Redding
- 25 Drive to U.S. 24 11
- 26 8. Approve traffic posting revision on Ernst
- 27 Road 12

17

18 a) Ernst Road, from 850' e/o
19 Homestead Road to 3,900' e/o
20 Homestead Road -- School Speed
21 Limit 25 MPH When Children
22 Present - This is to rescind the
23 previous ordinance due to
24 incorrect direction previously
25 approved by Board of
Commissioners.

22 b) Ernst Road, from 850' w/o
23 Homestead Road to 3,900' w/o
24 Homestead Road -- Post "25 MPH
25 When Children Present" speed
limit signs.

25 (Agenda continues)

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1 (Agenda continued)

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9. Approve Warranty Deed required for right
3 of way dedication for Project #B02-05,
4 The Landmark Conference and Reception

4 Centre located on Ellison Road from: 14

5 a) Roger W. Speicher and Jane E.
6 Speicher.

6

10. Approve Warranty Deed required for
7 addition right of way for Project
8 #04-254, Coldwater Road - Phase II from: 14

8

a) Parcel 19 - Richard A. Place.

9 b) Parcel 16 - Christopher LaSalle

c) Parcel 33 - Twin Eagles

10 Development LLC

11 11. Other Business 15

12 a) Addition to the Allen County
13 Code, Title 12 (Financial)

14 Article 133 (Sheriff's Fund for
15 Foundation Grants)

16 b) Reminder - Meeting next week on
17 Thursday, October 20th at
18 10:00 a.m.

16

12. Approval to waive the 2nd Reading on any
17 matter approved today and for which it
may be deemed necessary for the
18 Legislative Session of October 13, 2005 17
19 13. Comments from the Public 17
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21
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0006

1 BLOOM: I'm going to say good afternoon, ladies and
2 gentlemen. Welcome to the Commissioners Legislative
3 Session of October 13th. First we're going to have a
4 silent moment and a dedication to our country,
5 please.

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

9 BLOOM: Thank you. Approval of the Minutes of
10 October 5th.

11 PETERS: I make a motion to approve the Minutes of
12 October 5th, 2005.

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

15 PETERS: Aye.

16 BLOOM: Aye. This morning, we have a very special
17 proclamation for Military Appreciation Day. If the
18 two gentlemen that are here to represent--Dick
19 Hamilton, the VFW 4th District Commander and Doug
20 Rapp, the Battalion Adjutant, Indiana Army Nation
21 Guard--if you'd please come forward. Good morning.

22 RAPP: Good morning.

23 BLOOM: We have a proclamation for you this morning.
24 "Americans have always relied on the brave men and
25 women of the military to stand between them and

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1 harm's way. And whereas, faced with a foreign enemy,
2 terrorist threat, or national disaster, United States
3 military personnel can always be found on the front
4 lines working to defend, protect, and ease the
5 suffering of their countrymen. And whereas,

6 Indiana's own National Guard and Reserve units have
7 answered the call to advance the cause of freedom in
8 the Middle East as well as to provide aid to victims
9 in America's hurricane-ravaged south, and whereas, it
10 is most fitting that we gather today to show our men
11 and women in uniform and their families how much we
12 appreciate the sacrifices they make for us. Now
13 therefore, the Board of Commissioners of the County
14 of Allen, hereby proclaim October 14th, 2005 as
15 Military Appreciation Day in Allen County and
16 encourages all residents to thank our local military
17 personnel for making possible the liberties we enjoy
18 each day." This proclamation signed by the Board of
19 Commissioners Bloom, Irving, and Peters. (Applause.)
20 Thank you for all you do. I'm going to bring this
21 down to you. Thank you. Thank you.

22 HAMILTON: Thank you.

23 BLOOM: Tomorrow is the 3rd annual Military
24 Appreciation Day at Shiloh Hall on Carroll Road. It
25 begins at 6:00, right?

0008

1 HAMILTON: (Nods head yes.)

2 BLOOM: For military and veterans. It's open to the
3 public at 8:00. We wanted to make sure that everyone
4 knew this. Thank you so much.

5 HAMILTON: Thank you.

6 BLOOM: And welcome to our meeting. And you don't
7 have to stay if you don't want to.

8 RAPP: It's pretty entertaining.

9 HAMILTON: We're busy.

10 BLOOM: Okay. Well, he wants to and you don't?
11 Thank you. Thank you very much.

12 RAPP: You're very welcome.

13 PETERS: Thank you, gentlemen.

14 BLOOM: Oh, this is appropriate. Approval of 2005
15 Homeland Security Grant Program Sub-Grant Agreement.

16 PETERS: This is part of the ongoing funds that we
17 continue to get from State and Federal government.
18 Next year, we've applied for all that's available
19 which is about \$1.14 million which will be used for
20 many of the same purposes that we expended Homeland
21 Security Funds for in 2003 and 2004. And I guess
22 with that, I'd make a motion that we approve 2005

23 Homeland Security Grant Program Sub-Grant Agreement.

24 BLOOM: Second. All in favor, signify it by saying,

25 "Aye."

0009

1 PETERS: Aye.

2 BLOOM: Aye. Approve the natural gas rate agreements

3 with NIPSCO. Good morning, Bruce.

4 LITTLE: Good afternoon, Commissioners.

5 BLOOM: Afternoon.

6 LITTLE: Unusual to say that.

7 BLOOM: I know.

8 LITTLE: Before you, you have two rate agreements

9 with NIPSCO. They are for the Allen County Juvenile

10 Center and for the Allen County Confinement Center.

11 Both of those buildings recently or greatly

12 expanded--

13 BLOOM: Right.

14 LITTLE: --and NIPSCO did a rate comparison for us.

15 And to stay on our rate 325 [\$325.00] saves each

16 facility about 61 [\$6100.00] or \$6200.00 a year.

17 BLOOM: Great.

18 LITTLE: However, because the usage has gone up so

19 greatly, our minimum monthly billing rate would go

20 up. But it--it certainly saves us a lot of money

21 over the space of a year.

22 BLOOM: Yeah, it does. Terrific.

23 PETERS: I'd make a motion to approve natural gas

24 rate agreements with NIPSCO.

25 BLOOM: To save us money--

0010

1 PETERS: Uh-huh (affirmative).

2 LITTLE: That's right.

3 BLOOM: --I'll second that. All in favor, signify it

4 by saying, "Aye."

5 PETERS: Aye.

6 BLOOM: Aye.

7 LITTLE: Thank you.

8 BLOOM: Thanks, Bruce.

9 LITTLE: Sure.

10 BLOOM: What would our world do without paper?

11 Approve Engineering Services Proposal between A & Z

12 Engineering and Allen County for Fritz/Hand Road

13 Intersection Improvements, \$27,700.00.

14 HARTMAN: Good morning, I'm--

15 BLOOM: Good morning, Bill.

16 HARTMAN: --Bill Hartman with the Allen County
17 Highway Department sitting in for Mike Fitch. This
18 intersection, Fritz and Hand, is right at Dupont
19 Road, and they don't line up exactly right now. And
20 these roads connect State Road 33 to Carroll Road, of
21 course, where we have quite a complex of schools and
22 there's a lot of traffic there, and we would like to
23 improve them. And that's the basis of this
24 Agreement.

25 PETERS: I make a motion we approve the Engineering
0011

1 Services between A & Z Engineering and Allen County
2 for Fritz/Hand Road Intersection Improvements.

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

5 PETERS: Aye.

6 BLOOM: Aye. Approve Engineering Services Proposal
7 between A & Z Engineering and Allen County for
8 Hand/Baird Road Intersection Improvements,
9 \$43,700.00.

10 HARTMAN: This is another severe jog in the road
11 which is just a half a mile north of--of the previous
12 one and it's still on the same route, and it can use
13 some considerable improvement, you know, due to the
14 development of the schools and housing in the area
15 and traffic.

16 PETERS: I make a motion to approve Engineering
17 Services Proposal between A & Z Engineering and Allen
18 County for Hand/Baird Road Intersection Improvements.

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

21 PETERS: Aye.

22 BLOOM: Aye. Approve Engineering Services Agreement
23 between Bonar Group and Allen County for Amber Road
24 improvements from Redding Drive to U.S. 24.

25 HARTMAN: Now we're improving Amber Road north, at
0012

1 this point, of 24 [U.S. 24] with a new--new design,
2 and hopefully, new construction in the spring. And
3 additional work also needs to be done on Amber Road
4 south of 24 [U.S. 24] to Redding Drive. It's just a

5 gravel road at this time.

6 BLOOM: Uh-huh (affirmative).

7 HARTMAN: It's--it's very narrow and unimproved. And
8 there again, due to development and--

9 BLOOM: New school.

10 HARTMAN: --new school--

11 BLOOM: Yeah.

12 HARTMAN: --more traffic--

13 BLOOM: Yeah.

14 HARTMAN: --it needs improvement.

15 PETERS: I make a motion to approve Engineering
16 Services Agreement between Bonar Group and Allen
17 County for Amber Road improvements from Redding Drive
18 to U.S. 24.

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

21 PETERS: Aye.

22 BLOOM: Aye. Approve traffic posting revision on
23 Ernst Road. Ernst Road, from 850 feet east of
24 Homestead Road to 3900 feet east.

25 HARTMAN: This is an error. There was a school built
0013

1 west of Homestead Road on Ernst. And the intention
2 of the original posting was to put a school zone west
3 of Homestead, but it was written east, so this is a
4 correction to that--that error.

5 PETERS: Do we do a) and b)--

6 BLOOM: And the next one?

7 PETERS: --together?

8 BLOOM: And we're doing "25 MPH When Children
9 Present" speed limit signs.

10 HARTMAN: For a school zone, yes.

11 BLOOM: The first one is to--

12 PETERS: Rescind.

13 BLOOM: --rescind and the second one is to post.

14 PETERS: Okay, well I'll make a--I'll put them
15 together.

16 BLOOM: Just do them both. Yeah.

17 PETERS: I'll make an ordinance to rescind the
18 previous--I make a motion to--I'll get it. I make a
19 motion to rescind the previous ordinance due to the
20 incorrect direction and correct it by approving the
21 post "25 MPH When Children Present" speed limit signs

22 in the right direction.

23 HARTMAN: Thank you, sir.

24 BLOOM: Second. All in favor, signify it by saying,

25 "Aye."

0014

1 PETERS: Aye.

2 BLOOM: Aye. Approve Warranty Deed required for
3 right of way dedication at the Landmark Conference
4 and Reception Centre located on Ellison Road from
5 Parcel a).

6 HARTMAN: This is a new reception center south of 24
7 [U.S. 24], and this is a required right of way
8 dedication for the improved lanes and front, you
9 know, to handle the traffic, you know, in and out in
10 front of the--

11 BLOOM: Right.

12 HARTMAN: --in front of the building.

13 BLOOM: On Ellison Road.

14 PETERS: I make a motion to approve Warranty Deed
15 required for the right of way for Project #B02-05.

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

18 PETERS: Aye.

19 BLOOM: Aye. Approve a Warranty Deed required for
20 additional right of way for Project #04-254,
21 Coldwater Road, Phase II from Parcels a), b), and c).

22 HARTMAN: This, we have about 55 parcels on this
23 project, and with this approval, we'll still have 25
24 to acquire in order to proceed with the project.

25 PETERS: I make a motion to approve the Warranty Deed

0015

1 required for additional right of way for Project
2 #04-254.

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

5 PETERS: Aye.

6 BLOOM: Aye. Do you have anything else this morning,
7 Bill?

8 HARTMAN: That's it. Thank you very much.

9 BLOOM: Thank you very much. Other business,
10 addition to the Allen County Code, Title 12
11 (Financial) Article 133 (Sheriff's Fund for
12 Foundation Grants). Good morning, Jim. Good

13 morning, Lin.
14 WILSON: Good morning.
15 HERMAN: Good afternoon.
16 BLOOM: Afternoon.
17 WILSON: Afternoon, yes, it is.
18 BLOOM: Afternoon.
19 WILSON: Lin Wilson, Grant Administrator.
20 HERMAN: Jim Herman, Sheriff. I'm sorry.
21 WILSON: This fund is being established so that when
22 the Sheriff receives grants from private foundations
23 that are not State or government grants that he will
24 have a fund to put those in and disburse them from.
25 BLOOM: Okay.

0016

1 WILSON: So they aren't commingled into the general
2 fund.
3 PETERS: I make a motion that we add to the Allen
4 County Code Title 12 Article 133 for the Sheriff's
5 Fund for foundation grants.
6 BLOOM: Second. All in favor, signify it by saying,
7 "Aye."
8 PETERS: Aye.
9 BLOOM: Aye.
10 HERMAN: Thank you very much.
11 WILSON: Thank you.
12 BLOOM: Thank you.
13 HERMAN: Thank you, Lin.
14 BLOOM: Don't you wish they were all that--
15 HERMAN: Yes, I do.
16 BLOOM: --efficient?
17 HERMAN: Yeah. Thank you.
18 BLOOM: Do we have any other business this morning?
19 ELSER: The only other business we would have would
20 be to remind staff and constituents that next week's
21 meeting will be on Thursday again, on the 20th,
22 October 20th, at 10:00 a.m.
23 BLOOM: We're doing this just to confuse all of you,
24 but not deliberate, I promise.
25 PETERS: Wait a minute, you're the one that's been

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1 saying, "Good morning," all day.
2 BLOOM: I know, I have been saying, "Good morning."
3 I don't know that we've ever had a meeting at 12:00.

4 I don't think so.
 5 FISHERING: (inaudible)
 6 BLOOM: I know.
 7 PETERS: I'd make a motion to approve to waive the
 8 second reading on any matter approved today for which
 9 it may be deemed necessary for the Legislative
 10 Session of October 13th, 2005.
 11 BLOOM: Good. Second. All in favor, signify it by
 12 saying, "Aye."
 13 PETERS: Aye.
 14 BLOOM: Aye. Any comments from the public this
 15 morning? Hearing none, meeting adjourned. Thank
 16 you.

(Adjourned at 12:17 p.m.)

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

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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 October 13, 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 17th day of October, 2005.

18
 19 _____

Kimberlee M. Adams, Notary Public

20 Residing in Allen County, Indiana

21

My Commission Expires:

22 December 2, 2011