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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 October 20, 2005

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13
14 DATE: October 20, 2005

15
16 TIME: 10:12 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

23
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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

7 Mary Hitchens Allen County Public
 Information Office
 8 John McGauley Allen County Public
 Information Office
 9
 10 Mike Fitch Director, Allen County
 Highway Department
 11 G. William Fishering Allen County Counsel
 12 Bruce Little Allen County Purchasing
 Director
 13
 14 James Herman Allen County Sheriff
 15 George Colby Allen County Sheriff's
 Department
 16 Scott Harrold Department of Planning
 Services
 17
 18 Michelle Wood Department of Planning
 Services
 19 Alex Wernher Director, Allen County GIS
 20 Tera Klutz Chief Deputy, Allen County
 Auditor

21 Kimberlee M. Adams Rolf Reporting, Inc.
 22
 23 Ryan Leingerich News Sentinel
 24 Ben Lanka Journal Gazette

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1 BLOOM: Good morning, and welcome to the
2 Commissioners Legislative Session, October 20th.
3 First we will honor our flag and our country, please,
4 and a silent moment.

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
9 October 13th.

10 PETERS: I make a motion to approve the Minutes of
11 October 13th.

12 IRVING: Seconded.

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

14 PETERS: Aye.

15 IRVING: Aye.

16 BLOOM: Aye. Consideration of payment to Michael
17 Kinder & Sons, Inc., \$78,711.90 out of CREDIT for
18 Invoice #05-078-1 for the Rail Spur Extension at C&M
19 Fine Pack.

20 HARROLD: Good morning.

21 BLOOM: Good morning.

22 HARROLD: I'm Scott Harrold--

23 IRVING: Good morning.

24 PETERS: Good morning.

25 HARROLD: --with the County Department of Planning

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1 Services. As you know, when C&M Fine Pack announced
2 their most recent expansion, a part of the incentive
3 package was that we would do some offsite
4 infrastructure work that included the Rail Spur as
5 well as a storm sewer project that's currently under
6 construction by Flemming. Kinder & Sons was awarded
7 the contract for the Rail Spur, and that project was
8 substantially completed at the end of August.
9 Norfolk and Southern came out and inspected the work
10 and it was satisfactory. Since they are,
11 essentially, the ones using it, it needs to meet
12 their requirements. The C&M Fine Pack is happy the
13 project turned out great. It looks great. Since
14 that time, they put up the final touches. They put

15 in a fence bank in place and doing a few little
16 things like that. This will be the only bill you see
17 other than whether or not some extra stuff is
18 included. The bill was for \$89,900.00 and some.
19 The--part of that was for a change order they're
20 requesting. And there's still some dispute over how
21 much, if any, of that should be paid by the County.

22 IRVING: Okay.

23 HARROLD: That's another topic for another day, I
24 think. But we thought we should at least pay them
25 the--the amount that we agree that we owe them at

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1 this time--

2 BLOOM: Absolutely.

3 HARROLD: --and then move forward from that.

4 PETERS: Scott, that's a topic for another day, but
5 what is likely to happen? I know we're talking
6 \$11,200.00 there. Are we going to be hooked? You
7 said we won't see a bill, so we can just wipe it off?

8 HARROLD: Well, we're going to have to have
9 discussions with Kinder & Sons about that.

10 PETERS: Okay. So there may, in fact, be something
11 coming back?

12 HARROLD: There may be something.

13 PETERS: Okay, that's--

14 IRVING: Uh-huh (affirmative).

15 PETERS: --all I wanted to know.

16 HARROLD: I wouldn't--it wouldn't be more than the
17 \$11,000.00, put it that way.

18 PETERS: All right. Yeah.

19 IRVING: Scott, when Norfolk and Southern came to do
20 their inspection, did they kind of slip in town and
21 slip out of town so they didn't have to address some
22 other issues?

23 HARROLD: I was not even aware that they were here.
24 I'm sure it was just some maintenance staff that--

25 IRVING: Is that what it was?

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1 HARROLD: --not--

2 IRVING: Okay.

3 HARROLD: --not anyone that--

4 IRVING: Because they're kind of sometimes hard to
5 corral.

6 HARROLD: Right.

7 IRVING: I make a motion we 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. Thank you.

13 IRVING: Thank you, Scott.

14 BLOOM: Approval for Allen County Sheriff's
15 Department to enter into a Drug Task Force Grant
16 Agreement. Good morning, Sheriff.

17 IRVING: Good morning.

18 HERMAN: Good morning, Commissioners.

19 PETERS: Hi.

20 HERMAN: Sheriff Jim Herman. This is for the lease
21 agreement for an offsite place for the Drug Task
22 Force to operate.

23 IRVING: Sheriff, I have a question here. What type
24 of alterations are going to be done to this office?

25 HERMAN: Well, I've get George here. I think he can
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1 probably tell you that. They've got to do some--they
2 have to put an evidence--a place for evidence--a
3 secured place for evidence, alarms, things like that.

4 IRVING: Okay. Who pays for that?

5 HERMAN: I think that's paid for out of the grant.

6 COLBY: 208.

7 HERMAN: Pardon?

8 COLBY: State Seizure.

9 HERMAN: Yeah, the Seizure Fund.

10 IRVING: I happened to run into George. I just bring
11 it up. You know, we're--we're trying very hard to
12 find a building for you. I understand that George
13 needs a facility. And he mentioned that after this
14 lease is done, that they would probably move into the
15 new facility that you have.

16 HERMAN: If we have one.

17 IRVING: You are going to have one.

18 HERMAN: Okay.

19 IRVING: That--I knew that there had to be an
20 evidence room that was going to have to be put in to
21 this year rental. Is there anything--I mean, it--to
22 me, I would like to be able to capture any money we

23 can to put into your new facility that we are trying
24 very desperately to capture and get remodeled in a
25 timely manner. You know, I--are we just spending
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1 State grant money--

2 HERMAN: Well--

3 IRVING: --and--I--I don't know. And I--I--

4 HERMAN: No, I don't think so. I think that in this
5 case, you know, the--the grant money is going to--is
6 going to go for that or we would probably lose it.

7 We are not, you know, presently--my thinking is that
8 if we are in a new facility in a six-month period,
9 he's going to be there for six months longer than he
10 needs to be, but--

11 BLOOM: Uh-huh (affirmative).

12 HERMAN: --but you and I and--and the rest of the
13 Commissioners have all seen what it's like to try to
14 get a short term--a real short term lease. And I
15 think a year is probably as short as you can go.
16 They wanted two. If we can get it done in a--in a
17 year and get it--and then, you know, provided that we
18 have a facility that they can move into, then we can
19 make that--we can make that switch. And--and then we
20 might be able to apply some of the--some of the
21 Seizure money to that. But--

22 IRVING: Okay.

23 HERMAN: --but I--

24 IRVING: Well--

25 HERMAN: --I just think, in order to--in order for
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1 him to continue to operate, we--

2 IRVING: Uh-huh (affirmative).

3 HERMAN: --have to do something now. And our
4 facility is still, you know--you know, granted I know
5 that we're--we're all working on it very diligently
6 to try to get that done. We're--we're not there yet.
7 And we haven't really--we haven't really got a place
8 locked in that we're going to go. So--

9 IRVING: Uh-huh (affirmative).

10 HERMAN: --after we do that, we have to--to refurbish
11 it, and that's going to take sometime, so we just
12 thought that this was something that needed to be
13 done now since his lease is up and--and then we go

14 from there--

15 IRVING: Uh-huh (affirmative).

16 HERMAN: --because I--I do want him to move in with
17 us when--when we get the other building.

18 IRVING: Well, you kind of played into my hand just a
19 little bit. Does that mean--because you know we're
20 always trying to recapture funds--then is there a
21 chance that when we talk about remodeling of a--a new
22 building for the Sheriff's Department, that there
23 could be money to help build an evidence room or an
24 expanded room to include the Drug Seizure?

25 HERMAN: No. It--there--that's a possibility. I

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1 think that these grants run each year. Is that not
2 right, George?

3 COLBY: Yes, sir, it is.

4 HERMAN: And we don't know from year to year what
5 we're going to have as far as what the grant is going
6 to pay for. But--but that is a possibility, yes.

7 IRVING: Okay, so it is a renewal even if we spend
8 the \$12,000.00. I think you said around \$12,000.00.
9 Is that right, George?

10 COLBY: Yes.

11 IRVING: That we have a chance that we could reapply
12 after the first of the year, whenever we get another
13 facility for you, for an expanded evidence room for
14 the Drug Seizure, am I understanding this right?

15 HERMAN: My--as far as I know that's a possibility.
16 George, if I'm wrong--

17 COLBY: Yeah, that's--absolutely.

18 IRVING: Is there a cap--George, come up here for a
19 minute. Just--

20 COLBY: I'm sorry.

21 IRVING: --and I promise we'll just make this real
22 short.

23 COLBY: No, that's--that's all right. I apologize.

24 IRVING: I'm just trying to understand because we're
25 trying to do the best we can on getting this building

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1 we're looking at and getting it remodeled the way you
2 want. Is there a cap on this money?

3 COLBY: Yes.

4 IRVING: There is.

5 COLBY: The grant--

6 IRVING: And what is it?

7 COLBY: --the grant is capped at just--just a little
8 over \$78,000.00. It was cut last year from
9 \$83,000.00 to \$78,000.00.

10 IRVING: Okay.

11 COLBY: Congress right now is looking at--Senate--the
12 Senate has approved 900 million [\$900,000,000.00] for
13 the COPS programs. You have law enforcement block
14 grants and the Burns formula drug grants.

15 IRVING: Okay.

16 COLBY: The House only recommended 364 million
17 [\$364,000,000.00] for both, so there's 600 million
18 dollars [\$600,000,000.00] difference. The grants may
19 go away in a year or two. We don't know. You know,
20 we won't know that until Congress has done their
21 vote.

22 IRVING: So this grant, it expires at the end of this
23 year.

24 COLBY: No, we run until--

25 IRVING: Is it 2005--

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1 COLBY: --April 1st.

2 IRVING: --or 2006?

3 COLBY: April 1st, until 2006.

4 IRVING: So can you do some checking for us then,
5 George--

6 COLBY: Uh-huh (affirmative). Absolutely.

7 IRVING: --and find out what kind of grant would be
8 available at April 1st of 2006 to--to help fund
9 building an evidence room that could fit your needs--

10 COLBY: Uh-huh (affirmative).

11 IRVING: --and the other department's in the
12 Sheriff's.

13 COLBY: Under--under Burns grants, it wouldn't
14 qualify for building a facility or assisting. I
15 mean, it's--it's for the advancement of drug
16 enforcement.

17 IRVING: Okay.

18 COLBY: Street level.

19 IRVING: Okay.

20 COLBY: And really that's what we're doing. If
21 we--any money came up, it would have to come out of

22 208 which is a State Seizure Fund that we have built
23 up that that's what we buy equipment with. The grant
24 doesn't have enough money to even buy equipment, I
25 mean, you know, after we do cars and--and a facility,
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1 that's pretty much all of it.

2 IRVING: So the remodeling in this new facility for
3 you to do an evidence room is coming out of what,
4 George? It--it's coming out of--

5 COLBY: State Seizure.

6 IRVING: --208?

7 COLBY: It--correct.

8 IRVING: Okay.

9 COLBY: Yeah, the grant is not paying for the
10 remodeling. You can't do that. And the--and then
11 the grant can't pay the County to use their facility.

12 HERMAN: But we do have seizure money that we can use
13 for law enforcement use.

14 COLBY: Correct. That's correct.

15 IRVING: Okay, it's Thursday morning. So--

16 COLBY: We have a grant account and a seizure
17 account.

18 IRVING: --by you having--by moving you into the
19 Sheriff's Department, if we can get this deal worked
20 out, Jim--so are we losing money then by moving you
21 into the same facility with the Sheriff?

22 COLBY: That, I don't know because that's--right now
23 I'm operating on 2004 money. April will be on 2005
24 money which is allocated in the same amount of 73
25 grand [\$73,000.00]--or \$78,000.00. That's my
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1 understanding. That's what I've been told by

2 Indianapolis by the Criminal Justice Institute.

3 That's where the money comes through. To apply in
4 '06 for '07 funds, which would be '06 budget, that's
5 in Washington and nobody knows.

6 IRVING: Keep us informed because that's--

7 COLBY: Sure.

8 IRVING: --we--there's always a way even though that,
9 you know, it may be--has to be a wall, there may be
10 something else, and if we can figure out a way to
11 help defray the cost in a new facility for the
12 Sheriff--

13 COLBY: Sure. I understand.
14 IRVING: --that, you know, if we're going to be doing
15 some remodeling to the building, then if we have a
16 way of being able to help defray expenses, let's see
17 if we can't figure out if it's building a wall or
18 whatever it's--it's doing.
19 COLBY: Absolutely. No problem. Thank you.
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.

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1 IRVING: Thank you.
2 HERMAN: Thank you.
3 COLBY: Thank you.
4 BLOOM: Approval of the proposed agreement between
5 Maximus, Inc. and the County of Allen for cost
6 allocation services. We have for--ever since I can
7 remember--used Maximus, Inc. To my knowledge, they
8 have been the company that most of the counties in
9 the State of Indiana have used. They get back
10 Federal and State monies for us. They work on a
11 percentage. I don't have the paperwork right here.
12 Well, good morning.
13 PETERS: It's right here.
14 IRVING: Hey, how are you?
15 KLUTZ: Good.
16 BLOOM: This is continued contract with Maximus, Inc.
17 Has anything changed from prior years?
18 KLUTZ: No, though I wanted to point out that Lisa
19 Blosser, the Allen County Auditor, picked up the
20 phone and called Matt Brooks, the director here, and
21 just noted that we had been sought by a couple of
22 other firms that would like to do this--
23 BLOOM: Well, I know we did.
24 KLUTZ: --have this contract with us, and he
25 immediately reduced his price by 20%. So--

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1 BLOOM: Good job.
2 KLUTZ: And it's a fixed price for us.
3 BLOOM: Right.

4 KLUTZ: So that is very good.

5 BLOOM: It isn't a percentage?

6 KLUTZ: Nuh-uh (negative).

7 BLOOM: It's a fixed price?

8 KLUTZ: Uh-huh (affirmative).

9 BLOOM: Okay.

10 KLUTZ: But you--it's a percentage of the costs that
11 we incur expending--or services we provide to collect
12 the--for the child support. And that's probably why
13 the percentage came up.

14 BLOOM: Thank you.

15 PETERS: I make a motion to approve the agreement
16 between Maximus and Allen County.

17 IRVING: I'll second it.

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

19 PETERS: Aye.

20 IRVING: Aye.

21 BLOOM: Aye.

22 KLUTZ: Thanks.

23 BLOOM: Thank you. Agreements between Allen County
24 and the following for the use of electronic data.

25 Good morning.

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1 WERNHER: Good morning, Commissioners.

2 IRVING: Good morning, Alex.

3 BLOOM: The companies this morning--would you read
4 those off, please?

5 WERNHER: Sure. My name is Alex Wernher. I'm Allen
6 County's GIS Director. And the license agreements
7 you have before you are for several companies in the
8 community: Zoom, Inc.; Z.K. Tazian & Associates,
9 Inc.; D.A. Brown, Inc.; Foresight Consulting, LLC;
10 Brach Engineering; Earth Source, Inc.; FourD
11 Development; Gouloff Jordan; Janssen & Spaans
12 Engineering, Inc.; A&Z Engineering and the Indiana
13 Department of Natural Resources. And these are for
14 the purchase of digital data products like parcels
15 and contour and orthophotos.

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.
22 WERNHER: Great. Thank you, Commissioners.
23 BLOOM: Thanks, Alex.
24 IRVING: Thanks, Alex.
25 WERNHER: You bet.

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1 BLOOM: Approval of contract extension for copiers
2 for 2006. Good morning, Bruce.
3 LITTLE: Good morning, Commissioners.
4 BLOOM: Bruce was called too. Did you notice Nelson?
5 PETERS: Yeah.
6 LITTLE: I was--
7 BLOOM: We color coordinate.
8 LITTLE: Well, yeah.
9 BLOOM: Yeah.
10 LITTLE: Along with Mr. Fitch, I see, as well.
11 BLOOM: Uh-huh (affirmative). Oh, yeah. We all
12 called everybody but Marla.
13 FISHERING: I missed the notice.
14 LITTLE: I'm Bruce Little, Purchasing Director.
15 IRVING: Well, I don't see Mr. Fishering having much
16 green on today either.
17 FISHERING: A little.
18 IRVING: Okay.
19 BLOOM: Okay.
20 LITTLE: Yeah, I've got three copier contract
21 extensions for your consideration this morning. What
22 we do is we bid out six sizes of copiers every year
23 on a blanket order basis. There's no fixed quantity.
24 We buy these strictly as needed. There are three
25 vendors involved: Perry Corporation, Allen Business

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1 Machines, and Adams Remco. And they have all three
2 agreed to extend their contracts at the same prices
3 for 2006.
4 BLOOM: Okay.
5 PETERS: I make a motion to approve the contract
6 extension for copiers for 2006.
7 IRVING: Second.
8 BLOOM: All in favor, signify it by saying, "Aye."
9 PETERS: Aye.
10 IRVING: Aye.
11 BLOOM: Aye.

12 LITTLE: Thank you.
13 BLOOM: Thank you. Water Tower Maintenance Contract
14 between the Commissioners and Corrpro Waterworks for
15 2006.
16 ELSER: Commissioner Bloom, this is an annual
17 agreement that you have that services your water
18 tower at the Byron Center.
19 BLOOM: Cost?
20 ELSER: The cost this year is \$945.00 which is a--I
21 think it was a \$20.00 increase from last year. And
22 then aviation lightbulb replacement is \$115.00, plus
23 the maintenance and engineering services is \$945.00
24 for a total of \$1,525.00. It's a total \$60.00
25 increase from last year.

0023

1 BLOOM: Thank you.
2 IRVING: Do we have lightbulbs on our--
3 ELSER: It's the aviation--
4 IRVING: --water tower?
5 ELSER: --light on the tower.
6 IRVING: Oh, okay.
7 BLOOM: It's for the airplanes, yeah.
8 IRVING: I make a motion we approve.
9 PETERS: I'll second it.
10 BLOOM: All in favor, signify it by saying, "Aye."
11 PETERS: Aye.
12 IRVING: Aye.
13 BLOOM: Aye. Approve and accept completion of a new
14 bridge on the Moeller Road over Trier Ditch, Project
15 #00-030, constructed by Primco, Inc. The people of
16 New Haven are extremely happy about this. At one
17 particular time, they had like three bridges under
18 construction, so I've had calls on this one already.
19 FITCH: Good morning. Mike Fitch, Allen County
20 Highway.
21 BLOOM: Good morning.
22 PETERS: Good morning.
23 FITCH: This is one of our bond issue bridges. I
24 think we have--this is either number eight or number
25 nine. And we request approval of the final

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1 acceptance for this project.
2 IRVING: So moved.

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 Change Order #1 for Dunton
8 Road, Project #03-250 between API Construction and
9 Allen County, \$4,387.33 increase.
10 FITCH: This project is nearing completion. I
11 believe this is the first and last change order. I
12 think it--
13 BLOOM: Okay.
14 FITCH: --the work is primarily--
15 BLOOM: I wondered why we were getting this, yeah.
16 FITCH: --primarily completed, so--
17 PETERS: I make a motion--
18 FITCH: --this is just a--
19 PETERS: --to approve the Change Order #1 for Dunton
20 Road, Project #03-250.
21 IRVING: Seconded.
22 BLOOM: All in favor, signify it by saying, "Aye."
23 PETERS: Aye.
24 IRVING: Aye.
25 BLOOM: Aye. Do you--

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1 FITCH: That's all I have today.
2 BLOOM: Uh-huh (affirmative).
3 FITCH: Thank you.
4 BLOOM: Thank you.
5 FITCH: Have a good day.
6 IRVING: Bye, Mike.
7 BLOOM: Plat for signature: Calera, Section I, we'll
8 do after the meeting, thank you. Is there any other
9 business this morning?
10 ELSER: I have no other business.
11 IRVING: I make a motion that we waive the second
12 reading on any matters that were approved today.
13 PETERS: I'll second that.
14 BLOOM: All in favor, signify it by saying, "Aye."
15 PETERS: Aye.
16 IRVING: Aye.
17 BLOOM: Aye. Any comments from the public this
18 morning? Hearing none, meeting adjourned. Thank
19 you.

(Adjourned at 10:32 a.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 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 21st day of October, 2005.

18

19

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

20

21

My Commission Expires:

22 December 2, 2011