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1 STATE OF INDIANA)
)SS:

2 COUNTY OF ALLEN)

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7 BOARD OF COMMISSIONERS
OF THE COUNTY OF ALLEN

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RE: LEGISLATIVE SESSION OF
DECEMBER 21, 2005

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14

DATE: December 21, 2005

15

TIME: 10:06 a.m.

16

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

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REPORTER: Rhonda M. Mullholand

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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
6 Susan Elser Allen County Board of
Commissioners' Office

7 Mary Hitchens Allen County Public
Information Department

8

John McGauley Allen County Public
Information Department

9

10 G. William Fishering Allen County Attorney

11

David Fuller Allen County Building
Commissioner

12

13 William Hartman Allen County Highway
Department

14

Bruce Little Allen County Purchasing
Department

15

16 James Herman Allen County Sheriff

17 Darren Vogt Allen County Council
President

18

Pam Finlayson Allen County Election Board

19

Jeanne Nicolet Allen County Election Board

20

Alex Wernher Allen County GIS

21

22

William Smallwood Allen County Chief Deputy

23

Eli Samaan

24

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1 Rhonda M. Mullholand Rolf Reporting, Inc.

2 Cindy Larson News-Sentinel

3 Ben Lanka Journal-Gazette

4 WANE-TV

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1 10. Approve Weight Limit Posting Change for
the Monroeville Road Bridge over Bohnke
2 Ditch (Bridge #278) - New bridge installed
and completed by Pioneer Associates, Inc.

3
a) Remove 15 TON Weight Limit
4 b) New Posting - None Required
..... 36

5
6 11. Approve engineering services agreement
between Bonar Group and Allen County
7 for the Scott Road improvements north
of State Road 14 - Total fee \$16,600.00
8 39

9
10 12. Approve Supplement #1 for additional
engineering services between Bonar Group
and Allen County for the Amber Road,
11 from Redding Drive to U.S. 24,
Project #05-306 -- Total SA#1 = \$6,100.00
12 40

13
14 13. Approve and accept the following streets
for maintenance by Allen County in the
following subdivisions:

- 15
16 a) GRAYFOX, SECTION III:
1. Fyxen Run
17 2. Cinereal Court
3. Brindle Crossing
18 b) BRIDGEWATER, SECTION IV:
1. Raynham Road
19 2. Egert Cove
3. Laurent Court
20 4. Caravelle Drive
21 c) WILLOW RUN, SECTION I:
1. Grand Willow Boulevard
22 2. Thornwillow Court

3.) Burwillow Court

4.) Amber Willow Way

5.) Mistwillow Court

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1 BLOOM: Good morning and welcome to the
2 Commissioners' Legislative Session. Today is
3 December 21st, 2005. First, I'd like for us to honor
4 our country and a silent moment, please.

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

7 BLOOM: Thank you. Annual meeting for the Allen

8 Country Development Corp. I'd like to call the
9 meeting to order by--and a presentation by David
10 Fuller, the operations manager for the Allen County
11 Development Corp. Good morning.

12 FULLER: Good morning. As you may be aware, we--
13 well, I'm sure you are aware, we get the tax reverted
14 properties after tax sales, and the development
15 corporation is charged with the responsibility to try
16 to sell those properties, or get them back on the
17 tax--tax rolls.

18 There's been a bit of a change over the last
19 couple of years in the focus, in that prior to that a
20 lot of the properties were going to the not-for-
21 profits in town, Project Renew, Habitat, the
22 partnership, and things have changed economically for
23 them, and now we're focusing on getting those
24 properties back to adjacent landowners, as well as to
25 developers, for developing.

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1 BLOOM: Right.

2 FULLER: We're also working very actively with the
3 City of Fort Wayne, with a number of properties, for
4 some of their targeted development areas.

5 In 2005, we were working off the list we had
6 previous, because there were no tax sales in 2004.
7 So, the list--a majority of the good properties were
8 gone, so they've worked very hard, our staff, at
9 getting rid of a lot of properties that really are
10 not buildable and not worth a lot. They've still
11 managed to get rid of, as of yesterday, 145
12 properties this year, so we're down to about 293
13 properties on that list, as of right now.

14 IRVING: And, that's all of these that are listed
15 here, are the 293?

16 FULLER: No, what's listed there are all the ones
17 that have sold.

18 IRVING: Yeah. And, this--

19 BLOOM: Uh-huh (affirmative).

20 FULLER: Yes.

21 IRVING: --this isn't 293?

22 FULLER: No, that is just an example of the database
23 that's been developed. That's one of the other
24 things that's been done over the last couple of years

25 in working with our county GIS, and with the City of
0010

1 Fort Wayne, developing a database of abandoned and
2 vacant properties around the city. It--it includes
3 not only our properties, but also all of those
4 properties that are in a public entity of some sort,
5 or a not-for-profit. And, the intent is, hopefully,
6 to get all the--all the privately owned also, so that
7 we can go to that one database and see every vacant
8 parcel within the city. So, it's a--

9 PETERS: Mr. Fuller, do you have an idea as to the
10 value of those properties, or perhaps what they've
11 done to enhance our tax rolls.

12 FULLER: Yes. Of the about 650, or 700, properties
13 that have been sold, the majority of those are back
14 on the tax rolls now, they went to private
15 individuals. The not-for-profits have taken very few
16 of those properties in recent years. So--so, the
17 majority of those are on the tax rolls, how much
18 dollars, volume, I don't know. But, a lot of our
19 properties are not buildable, they may be 20 foot
20 wide lots adjacent to other houses and we're selling
21 them to the adjacent property owners, so there's not
22 a lot of tax dollars coming in off those, but more
23 than we were getting before when they were in our
24 hands. So, I do not have any record as far as total
25 number of dollars that that's brought in.

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1 We have brought in about 175,000
2 [\$175,000.00] in sales since the--that's been money
3 back into--to the County.

4 IRVING: That's super.

5 BLOOM: Right.

6 FULLER: And, again, a lot of those properties are
7 generating taxes now, so it's been a good program.

8 IRVING: It has.

9 FULLER: Uh-huh (affirmative).

10 IRVING: If possible, at the first of the year, could
11 I have a copy of the 260 properties.

12 FULLER: Sure.

13 IRVING: Do you have them databased?

14 FULLER: Sure. In fact, I've got a copy here I can
15 give you.

16 IRVING: Can you give me a copy of that?

17 FULLER: It's a--

18 IRVING: Thank you very much.

19 FULLER: --it does not include the last 40 or so, but
20 it's--but that's a viable guess.

21 IRVING: Okay. I was asked, for a non-profit group,
22 the other day for that, and I just hadn't got it yet.

23 Thanks, Dave. I appreciate it.

24 FULLER: Yeah, I think there's 333 on here, and about
25 40 of those are gone now. So--

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1 IRVING: Okay. Thank you.

2 FULLER: Okay. Anything else?

3 BLOOM: Any questions? Thank you very much.

4 FULLER: Okay. Thank you.

5 BLOOM: The actions of the officers for the prior
6 year need to be ratified. We have officers, as they
7 are this year, Linda Bloom, President; Marla Irving,
8 Secretary; Operations Manager, David Fuller. We have
9 a meeting scheduled for January, at which time we'll
10 select new officers. Are there--is there any other
11 further business to come before the board this
12 morning?

13 PETERS: You probably need a motion on that.

14 BLOOM: To leave it the way it is until next year?

15 ELSER: You need to ratify the year--

16 BLOOM: All right.

17 ELSER: --for 2004's actions.

18 PETERS: I would--I'd make a motion to ratify for the
19 year 2004.

20 IRVING: I'll second that motion.

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

22 IRVING: Aye.

23 PETERS: Aye.

24 BLOOM: Aye.

25 IRVING: I'd like to make a motion to adjourn.

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1 PETERS: I'll second it.

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

3 PETERS: Aye.

4 IRVING: Aye.

5 BLOOM: Aye. And, like I just said, we will have
6 another meeting in January and regroup. Thank you.

7 We need to approve the minutes of December 14th,
8 please.

9 PETERS: I make a motion to approve the minutes of
10 December 14th, 2005.

11 IRVING: I'll second it.

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

13 IRVING: Aye.

14 PETERS: Aye.

15 BLOOM: Aye. We're going out of order this morning,
16 we need to do number six next, bid award
17 recommendation for diesel fuel for the year 2006.

18 Good morning, Bill.

19 HARTMAN: Good morning.

20 IRVING: Good morning, Bill.

21 HARTMAN: Good morning. I'm--

22 IRVING: Do we have copies of the bid opening? I
23 didn't see it on my desk.

24 ELSER: I did not receive anything--

25 HARTMAN: You did not?

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1 ELSER: --from the Highway Department.

2 IRVING: They were opened yesterday, is that correct?

3 HARTMAN: Yes.

4 PETERS: Right. There was only one--

5 IRVING: Did you--have you seen them?

6 PETERS: --bid--one bid received.

7 BLOOM: Thank you. No.

8 IRVING: Oh. Price per gallon--

9 PETERS: Did you get this? I sent you a copy
10 yesterday.

11 BLOOM: Yeah. Yeah, I did.

12 PETERS: I don't know if that helps at all.

13 IRVING: Uh-huh (affirmative).

14 BLOOM: We had one bid. The bid was from Petroleum
15 Traders. Nelson gave us a schedule of wholesale
16 prices, like from the start of November, through now.
17 It looks like prices are going down, up, down, up, at
18 least down from the middle of November.

19 PETERS: And, I think--I think the--the--

20 BLOOM: \$2.04.

21 PETERS: --I think the issue of particular note is
22 that, although the wholesale price has decreased from
23 \$2.11 a gallon, on 11/15/05, to \$1.99 a gallon, on

24 12/19, the bid for diesel actually went up. Tells me
25 that the--the long term prediction for--for gas will
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1 probably continue to increase unless the wholesale
2 costs are significantly reduced. I--I would recommend
3 that we lock in at \$2.0492--

4 BLOOM: Uh-huh (affirmative).

5 PETERS: --but I'd be interested to hear what
6 recommendations you, or Mr. Little, our Purchasing
7 Director, might have.

8 IRVING: Could I--could I see that, Nelson. I did
9 not get a copy of that.

10 PETERS: Yeah. Okay.

11 IRVING: So, I can see what it says.

12 BLOOM: Bruce, do you want to come up here, please?

13 LITTLE: Sure.

14 BLOOM: Thank you.

15 LITTLE: Good morning.

16 BLOOM: Good morning.

17 IRVING: Good morning.

18 BLOOM: Identify yourself, please.

19 LITTLE: I'm Bruce Little, Purchasing Director for
20 Allen County. And, as you've just reviewed, we
21 opened up bids yesterday. We received one bid, from
22 Petroleum Traders. It is very close to the same bid
23 that we had opened up about a month ago. We rejected
24 that bid, hoping that the prices would come down. We
25 saw they were at the time. And, granted, while the
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1 weekly averages have come down a bit, what we're
2 looking at here is a long term projected price, and
3 that has remained essentially stable over the last
4 month.

5 And, as I've said before, either choice is a
6 gamble, either going on the open market week to week,
7 or locking in for the year. With--the advantages, of
8 course, of locking in is we know what we will be
9 paying next year. And, certainly, looking at the
10 prices that we've paid in 2005, this is not what I
11 would call an extravagant price at all. It may end
12 up that at the end of 2006 we will have paid a bit
13 more for the privilege of locking in, but I--I would
14 recommend, as long--along with the Highway

15 Department, we discussed it yesterday, that you lock
16 in at this offered price.

17 IRVING: How many gallons, Bill, do we use, again, a
18 year for the Highway Department? I--

19 HARTMAN: I don't have those figures before me.

20 LITTLE: About 190,000 gallons.

21 IRVING: Okay, a hundred and--

22 BLOOM: This is 180 [180,000] or more, yeah.

23 IRVING: Okay, what's the difference--refresh my
24 memory on this, what's the difference between
25 transport delivery and tank wagon delivery?

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1 LITTLE: The--the tank wagon delivery is a much
2 smaller truck. It only delivers a couple thousand
3 gallons at a time, as opposed to the transport
4 delivery which is usually about 8,000 gallons.

5 In talking with the Highway Department
6 yesterday, they told me that they really don't order
7 tank wagon loads anymore. As a matter of fact, next
8 year we'll be dropping, I believe, that item from
9 there. They buy strictly in the transport loads.

10 IRVING: But, who determines the Highway Department
11 determines that we want a transport delivery versus a
12 tank wagon delivery?

13 LITTLE: It--the only reason why they would get a
14 tank wagon delivery is if the tank they're delivering
15 to cannot hold a full transport of gas--

16 IRVING: Do we have--

17 LITTLE: --or diesel, excuse me.

18 BLOOM: Yeah.

19 IRVING: So, then it's basically timing--a timing
20 issue, that you want to make sure that when you order
21 the fuel you've got enough, you've got enough to last
22 you, but you want to make it so that you can hold the
23 8,000 gallons? I--

24 LITTLE: No, it's not so much a timing issue. Any
25 time diesel is delivered to one of their fueling

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1 sites, it's gonna be a transport load. The only time
2 they would get a tank wagon delivery is if they need
3 a delivery to one of their mobile tanks that services
4 their off-road equipment out on a project. Maybe
5 these tanks only hold 500 gallons, period, but then--

6 IRVING: Okay. How often do we do that, Bill?

7 HARTMAN: I don't think that happens very often at
8 all. These guys, they--

9 IRVING: Well, what's not "very often," one a year,
10 twice a year, 10 times?

11 HARTMAN: Well, I--I don't know. I don't know. I
12 really don't.

13 LITTLE: What--what--Marla--

14 IRVING: See, I never remember seeing that before.

15 LITTLE: --yesterday, when I spoke to John Smith,
16 from the Highway Department, he tells me they no
17 longer order tank wagon deliveries.

18 IRVING: Okay. Because that--that's a big
19 difference.

20 LITTLE: It sure is.

21 BLOOM: You bet it is.

22 IRVING: And, if we don't do it--

23 BLOOM: Fifteen cents [.15].

24 IRVING: --yeah.

25 LITTLE: It's--we--we just don't do it anymore, so
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1 it's really--

2 BLOOM: Okay.

3 HARTMAN: Right. It's transported in the foremen's
4 vehicles.

5 BLOOM: Yeah. Okay. Any other questions?

6 PETERS: No, I'd make a motion that we lock in at the
7 2.0492 [\$2.0492] per gallon.

8 IRVING: I'll second that motion. I want you to call
9 for the question, though.

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

11 IRVING: Aye.

12 PETERS: Aye.

13 BLOOM: Aye.

14 IRVING: I--I think it would be very prudent on our
15 part, since it is bid on that, and--that we make sure
16 that a memo comes out from you, or the Director of
17 the Highway Department, or whatever, that even though
18 that bid does exist on that, that only in emergencies
19 would we exercise that trans--what is it, the wagon
20 delivery?

21 BLOOM: The tank wagon deliveries.

22 IRVING: I mean, we might even check the price on

23 that before we do that, if it's not used only as--

24 BLOOM: Because that is a big--

25 IRVING: But, you never know--

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1 BLOOM: --discrepancy.

2 IRVING: --it's 15 more cents a gallon.

3 BLOOM: It's 15 cents, yeah.

4 PETERS: Yeah, but we're not doing it anyways.

5 IRVING: Well, but it's still bid on there, and you--

6 I would just hope that something is notated that that

7 would only be in an emergency basis that we use that

8 bid price.

9 PETERS: Well, let me ask this, I mean the motion we

10 just made was to approve the bid price at 2.0492

11 [\$2.0492]. I would think that would preclude us from

12 using the wagon delivery rate at 2.1992 [\$2.1992],

13 correct?

14 LITTLE: Uh-huh (affirmative). Yeah.

15 IRVING: But--so, we're only doing part of this bid?

16 What--can we have the motion read back to us please?

17 BLOOM: Well--

18 IRVING: Because, we--

19 PETERS: My motion was to approve the bid rate of

20 2.0492 [\$2.0492] per gallon. I didn't say for 2006,

21 but 2006 was what I meant.

22 IRVING: So, we're only--so did we just approve only

23 part of this bid package? I guess that's what my

24 question is.

25 HARTMAN: Can they do that? Can they accept part of

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1 it?

2 IRVING: I didn't know that you could do that.

3 LITTLE: We--

4 BLOOM: If we get more than 10,000 gallons, more or

5 less, it's 2.19 [\$2.19]. We're talking about the

6 transport delivery at \$2.04. That's what we just--we

7 just voted on that--

8 IRVING: We just voted to--

9 BLOOM: --the \$2.04.

10 IRVING: --did we just vote to accept this whole bid

11 package?

12 LITTLE: That's what the Highway Department is

13 presenting to you. As far as your intention in your

14 vote, I don't know what to tell you.
15 IRVING: Well, all I'm asking is that if--that a memo
16 should go--if we accepted this whole bid package,
17 that a memo probably should be submitted to the
18 Highway Department to make sure that only in dire
19 emergencies do we exercise a tank wagon delivery at
20 15 cents more a gallon.
21 LITTLE: Okay.
22 IRVING: Is that what--
23 HARTMAN: Sure.
24 IRVING: --is that--
25 HARTMAN: Yeah. Absolutely.

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1 IRVING: Okay. You never know. You've got new
2 people, that do things, all the time, and you--you
3 know--
4 HARTMAN: Right.
5 IRVING: --I just think that that's a big difference
6 --
7 BLOOM: Oh, absolutely it is.
8 IRVING: --to exercise.
9 BLOOM: Thank you.
10 LITTLE: Thanks a lot.
11 PETERS: Thank you.
12 BLOOM: Discussion on the Allen County Sheriff's
13 Salary Contract. Good morning.
14 HERMAN: Good morning.
15 VOGT: Good morning.
16 IRVING: Good morning.
17 BLOOM: Good morning.
18 HERMAN: Can I borrow that?
19 VOGT: You sure can.
20 HERMAN: We can give them this.
21 VOGT: Uh-huh (affirmative).
22 HERMAN: I have a proposed salary contract--
23 BLOOM: Identify yourself, please.
24 HERMAN: I'm sorry. I'm the--Jim Herman, Sheriff of
25 Allen County, and I have with me President Darren

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1 Vogt of the Allen County Council.
2 IRVING: Good morning.
3 VOGT: Good morning.
4 HERMAN: I'll give you a copy of this. There are a

5 couple of things that--

6 IRVING: Thank you.

7 HERMAN: --probably need to be explained. One of the
8 things that Commissioner Peters was concerned about

9 is that the contract before this--this issue of it,

10 did not say specifically that it--the contract

11 excludes clothing allowance and longevity. This

12 takes care of that. I think it's in paragraph three.

13 PETERS: Right.

14 HERMAN: There is another thing that probably has to
15 be cleared up. One of the things that was in the

16 other

17 --the other rendition of the contract was that the

18 pay would be bi-weekly, as other Allen County

19 employees are paid, and we changed that to bi-

20 monthly, the same as other elected officials. And, I

21 noticed in the--at the end of paragraph three it

22 talks about what happens if it reverts back to the

23 Prosecutor's salary if--if the tax revenues go away,

24 it again--

25 BLOOM: Bi-weekly.

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1 IRVING: Uh-huh (affirmative).

2 HERMAN: --says bi-weekly, and that has to be changed

3 to monthly, as all other County officials. But,

4 that's the only--I think those are the only

5 corrections that need to be made in the contract.

6 VOGT: And, from the Council's perspective, through

7 the State Board of Accounts, we have to have a dollar

8 amount approved by the end of the year in order to

9 have that submitted down as an elected officials pay.

10 So, from our perspective, timing is a--the crucial

11 element, from the dollar, not so much the nuts and

12 bolts of the contract itself, but we need to make

13 sure we have the dollar amount to send down to the

14 State.

15 BLOOM: Any questions?

16 PETERS: Now, I was probably the one who was most

17 resistant to--to some of this, just based on

18 administrative concerns, and so forth, but with the

19 Sheriff's willingness to include the exclusion for

20 longevity benefit, and clothing allowance, I think

21 it--it puts us in--in a position where we don't

22 necessarily make this the precedent for 2007/2008,
23 for future sheriff's. I think it--it allows the
24 County Council to retain the latitude to renegotiate
25 a contract, and renegotiate a contract that doesn't
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1 necessarily establish the salary as it's being
2 established today. Because, there will be other
3 sheriff's, no doubt, coming in with less longevity
4 than what the current sheriff has. So, I appreciate
5 your--your willingness--and I didn't mean that like
6 it sounded, but I appreciate--appreciate your--

7 IRVING: Not as gray, huh?

8 BLOOM: Less longevity.

9 PETERS: --willingness to do that.

10 HERMAN: I'm an old man and I can accept that.

11 IRVING: I applaud the efforts of County Council on
12 this because they know that this has been a tough
13 issue that they've struggled for, for at least the
14 last two years, maybe even three years, and I--I
15 applaud your efforts on--on being able to negotiate
16 this contract.

17 VOGT: Well, I think the efforts really belong in
18 the--the kudos really belong to the Sheriff. You
19 know, realistically, this is a statute that's set up
20 that he does not have to agree with it--with us, he
21 can--and someone who's in his final term of office
22 say, you know, "I'm gonna reap the benefits," but he
23 realizes what's best for the County, and, I think
24 really we ought to thank the Sheriff for--for
25 stepping to the plate and agreeing to the contract.

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1 HERMAN: Well, thank you, President Vogt. I--I also
2 have to say that I--I appreciate your view on this,
3 and the fact that I think now that we're getting it
4 to this point--Mr. Vogt and I have had a conversation
5 earlier on this week and--and, quite frankly, we both
6 agree that now that it is this way we should probably
7 re-double our efforts to make as much as we can of
8 it, and collect as many taxes as we can, and make it
9 a--a benefit for the County. So, we'll all certainly
10 be working toward that end.

11 IRVING: Is the rumor true that now there's four or
12 five candidates that have dropped out of the

13 sheriff's race since we've lowered your salary to 130
14 [\$130,000.00].

15 HERMAN: Well, yeah, that's--

16 IRVING: Pam, now you don't have to order more paper
17 at the election board.

18 HERMAN: --you know, that's--that's a good way to
19 think about it. I'm sure that the headlines will
20 read that the Sheriff got an increase in his--in his
21 salary, where in fact I think it should read that--
22 that the Sheriff probably had his salary decreased by
23 somewhere in the neighborhood of \$80,000.00. So--and
24 the--and the County's gonna be the beneficiary, so I
25 think it's--it's time we did this, and I appreciate

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1 everybody's efforts to make it so.

2 PETERS: If I could--if I could make one more
3 comment. I know that there was some discussion at
4 the County Council meeting regarding ultimately what
5 might happen in the future to those fees that the
6 Sheriff is giving up, and there was some sense that
7 they ought to go back to the State. And, my
8 contention is nuh-uh (negative), we need them right
9 here.

10 IRVING: I'll--is that a motion, because I'll second
11 it, Nelson.

12 VOGT: I think the--the issue was clarified that if--
13 if we're not gonna receive the funds then we need to
14 make sure we have something negotiated out with--with
15 the Sheriff. And, that was the issue. I think,
16 obviously, with something negotiated with the
17 Sheriff, the County realizes that--the Council
18 realizes there's a benefit to us financially in the
19 form of \$80,000.00, potentially, or it could be
20 higher, could be less, but there's a financial
21 benefit. I think the thing is just clarifying the
22 current statute would be better that--you know,
23 realistically that the Sheriff's--that money should
24 go to County General to begin with, and have a decent
25 salary paid for the sheriff. I think that was a

0028

1 point of clarification.

2 IRVING: But, I'd like to make a case, and then I
3 promise I'll make a motion on this, I'd like to make

4 a case that the money should go into the technology
5 fund, because--because of the software, and the
6 technology, that we have brought forth in our
7 community, that is the reason that more money has
8 been collected.

9 VOGT: Paid for by a State Grant, I would agree.

10 IRVING: Okay. Okay. Oh, can we have that in
11 writing that he agreed it goes into the technology
12 fund.

13 VOGT: Paid for by a State Grant. But, I would agree
14 that technology needs to continue to be an effort.

15 But, obviously, there's technology across the board,
16 within the Sheriff's Department, as well as
17 throughout the County.

18 IRVING: How about 60/40? I'm just kidding. I make
19 a motion that we accept the contract for the
20 Sheriff's Department--the Sheriff's salary.

21 PETERS: I'll second it.

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

23 PETERS: Aye.

24 IRVING: Aye.

25 BLOOM: Aye.

0029

1 HERMAN: Thank you very much.

2 IRVING: Thank you.

3 VOGT: Thank you.

4 BLOOM: You're full of it today.

5 IRVING: Well, you can't--I mean, come on, I keep
6 trying and trying to get more money to come into the
7 technology account so we can further expand on some
8 of the software packages that will only increase our
9 ability to collect more money, so you can't blame a
10 girl for trying, can you? Look at that look. Okay,
11 60/40, what can I say?

12 BLOOM: Approval of a resolution establishing a local
13 advisory council to provide assistance to the County
14 in choosing polling places in compliance with the
15 Help America Vote Act, better known as HAVA. Good
16 morning.

17 PETERS: Good morning.

18 FINLAYSON: Good morning.

19 IRVING: Good morning.

20 FINLAYSON: I'm Pam Finlayson, Director of Elections

21 for Allen County, and this is Jeanne Nicolet,
22 Assistant Director for Allen County. This is the
23 last step in the HAVA Grant that we submitted earlier
24 this year. And, the people--we already have several
25 people in mind that we would like to see appointed to
0030

1 this council. We've been working with them through--
2 throughout 2005. Their assistance has been
3 invaluable. They're very professional and extremely
4 knowledgeable.

5 IRVING: And that includes John McGauley, Pam Ramsey,
6 Dan Jacquay--

7 FINLAYSON: Right.

8 IRVING: --a representative from the hearing
9 impaired, a representative of the vision impaired,
10 Pam and Jeanne will co-chair, and a member to be
11 determined, is that correct?

12 FINLAYSON: Correct. Now, we do--just recently we
13 did find someone to represent those with vision
14 impairment, Linda Scribner, with--she's with the
15 League for the Blind. And, so, really, we have two
16 positions for whom we don't have a suggestion at this
17 point.

18 IRVING: We had a suggestion. Are you open to
19 suggestions?

20 FINLAYSON: Sure.

21 IRVING: Kathy Lyons.

22 FINLAYSON: Yes, Kathy and I have worked very closely
23 together. I enjoy working with her. She indicated
24 to me earlier that she'd rather see other members in
25 the community serve because they're extremely

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1 competent. She feels she's out there enough. She's
2 in the forefront a lot, and she wanted to see others
3 in the community brought forward. That's what she
4 said to me some time ago. But, I--you know, it would
5 be fine with me to include her if she's interested.
6 But, I think she really wanted to bring several other
7 people--

8 BLOOM: Involve others in the community.

9 IRVING: Uh-huh (affirmative).

10 FINLAYSON: Right. She wanted a broader base of
11 involvement.

12 BLOOM: Well, maybe she would have some suggestions.

13 FINLAYSON: Well, she's--she's the person who
14 originally suggested Pam Ramsey and Dan Jacquay, and
15 they--they're both excellent people. So, yes, she's
16 --she's been involved in consulting, as far as
17 suggesting people who would serve well in certain
18 areas.

19 IRVING: Uh-huh (affirmative).

20 BLOOM: Okay.

21 FINLAYSON: Yeah. And, we still communicate, you
22 know, with her quite often, yeah.

23 PETERS: I make a motion that we approve the
24 resolution establishing a local advisory council to
25 provide assistance to the County in choosing polling
0032

1 places in compliance with the Help America Vote Act,
2 or HAVA.

3 IRVING: I'll second that.

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

5 PETERS: Aye.

6 IRVING: Aye.

7 BLOOM: Aye.

8 FINLAYSON: Okay.

9 BLOOM: Thank you very much.

10 FINLAYSON: Thank you.

11 BLOOM: Amendment to the Allen County Code, Title 12,
12 Article 90, for the Electronic Map Users Fee Fund.

13 Good morning, Alex.

14 PETERS: Good morning.

15 WERNHER: Good morning, Commissioners.

16 IRVING: Good morning, Alex.

17 WERNHER: I'm Alex Wernher. I'm Allen County's GIS
18 Director. And, I have to apologize for coming back
19 with an amendment so soon after my--

20 BLOOM: That we approved it, yeah.

21 WERNHER: --yeah. Yeah, this actually is an
22 amendment to a section we had amended back in April
23 of '05, and it became clear that there would be
24 confusion in the unit price description. So, we
25 wanted to amended that to say that for township data,
0033

1 extracts for topographi--topography and ortho photos,
2 that it's per public land survey section--

3 BLOOM: Yes.

4 WERNHER: --and not just \$85.00 for the--

5 BLOOM: Not the County.

6 WERNHER: --yeah.

7 IRVING: I make--

8 WERNHER: So, I apologize about that, but--

9 IRVING: --I make a motion we approve.

10 PETERS: I'll second it.

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

12 IRVING: Aye.

13 BLOOM: Aye.

14 PETERS: Aye.

15 IRVING: Thank you, Alex.

16 WERNHER: Great. Thank you, Commissioners. I'll see

17 ya.

18 BLOOM: Enjoy those babies. Merry Christmas.

19 WERNHER: Merry Christmas.

20 BLOOM: Appointments to a Common Wage Committee for

21 renovation of office space at 100 West Columbia

22 Street.

23 ELSER: The names before you today for consideration

24 are Ben Johnson, to serve as a representative of

25 industry, appointed by the owner; Nelson Peters, a

0034

1 taxpayer, appointed by the legislative body of the

2 County; and Brian Dumford, a taxpayer, appointed by

3 owner.

4 IRVING: So moved.

5 PETERS: I'll second it.

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

7 PETERS: Aye.

8 IRVING: Aye.

9 BLOOM: Aye. Highway Department. Approve Change

10 Order #1 for 2005 Resurface Package #2, between Wayne

11 Asphalt and Allen County, 71,239.34 [\$71,239.34]

12 increase.

13 HARTMAN: Good morning.

14 IRVING: Good morning again, Bill.

15 HARTMAN: We added roads to this project, Covington

16 Hall Lane, from Aboite Center Road, to the cul-de-

17 sac; Whispering Creek, from Elmwood Court to

18 Homestead Court; and Ridgeway Addition, where we've

19 done, you know, a lot of drainage and sanitary sewer

20 work. We added these to the package--
21 BLOOM: Right.
22 HARTMAN: --and those are--that's where the dollars
23 are for--we--you know, we added additional streets to
24 the project.
25 IRVING: So moved.

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1 PETERS: I'll second it.
2 BLOOM: All in favor signify by saying "aye."
3 IRVING: Aye.
4 PETERS: Aye.
5 BLOOM: Aye. Approve completion of construction
6 contract for Grabill Road, from State Road 1 to
7 Fairview Road, Project County Road 1998, Bid
8 Reference 17-04, between Wayne Asphalt and the
9 completion of construction.
10 HARTMAN: There was additional need to add asphalt,
11 ledge, and level to this project in order to make it
12 drain correctly. And, then there were also storm
13 drains added to the project which were the bulk of
14 the \$300,000.00 increase, which were shared between
15 primarily Allen County and Leo/Cedarville on this
16 project.
17 PETERS: I'll make a motion to approve.
18 IRVING: I'll second it.
19 BLOOM: All in favor signify by saying "aye."
20 IRVING: Aye.
21 PETERS: Aye.
22 BLOOM: Aye. This was a joint project between
23 Grabill/Leo/Cedarville and Allen County.
24 HARTMAN: Yes, it was. Yes, it was.
25 BLOOM: It was also a federal job, so it was--it

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1 wasn't?
2 HARTMAN: It was all local money. No, they paid for
3 their shares, and we paid for our--yeah, it was all
4 local.
5 BLOOM: It was just split up--
6 HARTMAN: Right. Yes. Right.
7 BLOOM: --the three ways. Because, the changes, they
8 were made--if they made them, then they paid for
9 those--
10 HARTMAN: Right. They paid their share within their

11 project limits, within their city limits.
12 BLOOM: Thank you. All in favor signify by saying
13 "aye."
14 PETERS: We voted.
15 BLOOM: We did vote on that one? Okay. Approve
16 weight limit posting change from Monroeville Road
17 Bridge over Bohnke Ditch (Bridge #278). New bridge
18 installed and completed by Pioneer Associates to
19 remove 15 TON weight limit and for a new posting,
20 none required. This--
21 IRVING: Great.
22 BLOOM: --was wonderful, too. It's ahead of
23 schedule--way ahead of schedule, isn't it?
24 HARTMAN: Well, just by a couple weeks. December
25 30th--

0037

1 BLOOM: Yeah, but--
2 HARTMAN: --was the completion date, and it was
3 opened to traffic yesterday. So--
4 PETERS: We've got two projects out there, or one?
5 HARTMAN: There's--
6 BLOOM: On Monroeville?
7 HARTMAN: --another one on the bond issue, out on
8 Monroeville Road, to be started next summer.
9 PETERS: Okay, so no construction had begun on that
10 yet?
11 HARTMAN: No.
12 PETERS: Okay.
13 HARTMAN: No, not--not on the second project. We're
14 --
15 PETERS: I was trying to figure out which one this
16 was, and now--
17 HARTMAN: --yeah, this is very close to the City of
18 Monroeville--
19 PETERS: --yeah, this was--okay, this was the only
20 one that was going on.
21 HARTMAN: --just--just about a mile--about a mile
22 west of Monroeville, yes.
23 PETERS: Okay.
24 BLOOM: One was--
25 PETERS: Well, great.

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1 BLOOM: --one was--because when I drove out there,

2 and looked at those, they're really close together
3 though?
4 HARTMAN: The other one's only maybe another two or
5 three miles west of this one--
6 BLOOM: Yeah.
7 HARTMAN: --and then that--but that--
8 BLOOM: But, we're not going to do that, of course,
9 till spring.
10 HARTMAN: Right. Right.
11 BLOOM: Okay.
12 PETERS: Is that other one west of Heritage?
13 HARTMAN: East of Heritage, I believe.
14 PETERS: East of Heritage.
15 HARTMAN: East of Heritage, yes.
16 BLOOM: They're not that far apart.
17 PETERS: Okay.
18 BLOOM: The people out there--
19 HARTMAN: And, then we just got a federal aid--we
20 just got approved a federal aid contract to design
21 one right next to Heritage. The one right there will
22 also come up, so we've got Monroeville Road gets
23 three bridges replaced in probably the next three
24 years.
25 PETERS: Okay.

0039

1 BLOOM: That's why I was confused.
2 PETERS: Well, great. You're doing a great job.
3 That's--
4 BLOOM: They're going to be so happy.
5 PETERS: --yeah, it's nice to have that done.
6 Sometimes you don't know that there's actually people
7 out there until you start hearing them talk about
8 what you've done to their bridge, and what you've
9 done to--so--
10 BLOOM: Or if you're gonna close it.
11 PETERS: Yeah.
12 IRVING: Oh, yeah.
13 HARTMAN: Yeah, the day we close it, the--
14 PETERS: So, it's nice to see that completed. I make
15 a motion to approve.
16 IRVING: I'll second it.
17 BLOOM: All in favor signify by saying "aye."
18 PETERS: Aye.

19 IRVING: Aye.
20 BLOOM: Aye. Approve engineering services agreement
21 between Bonar and Allen County for Scott Road
22 improvements north of State Road 14, total fee 16,600
23 [\$16,600.00].
24 HARTMAN: Yeah, this is in conjunction with a
25 development there in the area, and we've got a hill
0040

1 cut that needs to be taken, and widening, and this is
2 just additional engineering to accomplish that.
3 PETERS: I make a motion to approve the engineering
4 services agreement.
5 IRVING: Second.
6 BLOOM: All in favor signify by saying "aye."
7 PETERS: Aye.
8 IRVING: Aye.
9 BLOOM: Aye. Approve Supplement #1 for additional
10 engineering services between Bonar and Allen County
11 for Amber Road, from Redding to 24. So, this would
12 be the south side of Jefferson. We have done the--we
13 are doing the north side of Amber, and continuing
14 this to the south of Jefferson to Redding Road. Is
15 this not the one that we're doing, and including
16 paths, and everything?

17 HARTMAN: Yes. Yes, it is. Yes.
18 BLOOM: And, there's an additional charge, \$6100.00.
19 IRVING: So moved.

20 PETERS: I'll second it.
21 BLOOM: All in favor signify by saying "aye."

22 IRVING: Aye.

23 PETERS: Aye.

24 BLOOM: Aye. Approve and accept the following
25 streets for maintenance by Allen County in the

0041
1 following subdivisions: Grayfox, Section III: Fyxen
2 Runs, Cinereal Court, Brindle Crossing; Bridgewater,
3 Section IV: Raynham Road, Egert Cove, Laurent Court,
4 and Caravelle Drive; and Willow Run, Section I:
5 Grand Willow Boulevard, Thornwillow Court, Burwillow
6 Court, Amber Willow Way, and Mistwillow Court.
7 Goodness sakes, a lot of willows.
8 IRVING: That's a lot of willows.
9 BLOOM: Yeah.

10 IRVING: I'll make a motion we approve.
11 PETERS: Can I ask real quick, not to put anybody on
12 the spot, where is Willow Run?
13 BLOOM: Section I.
14 PETERS: Section I?
15 HARTMAN: You've got me. You have got me. I--
16 IRVING: Isn't that--isn't that off of 3?
17 HARTMAN: I'll have to look at my map.
18 IRVING: Is there another Willow Run? Because
19 there's a Willow Run that's off 3.
20 BLOOM: Well, if they're wanting us to accept their
21 streets, it's--
22 HARTMAN: It's between Cedar Canyons Road and Dunton
23 Road.
24 IRVING: Okay.
25 PETERS: Okay.

0042

1 BLOOM: Okay. So, it is up there? Okay.
2 PETERS: Okay. I'll second it.
3 BLOOM: All in favor signify by saying "aye."
4 PETERS: Aye.
5 IRVING: Aye.
6 BLOOM: Aye. Any other business this morning?
7 ELSER: Yes.
8 BLOOM: Well, okay. Thank you, Bill.
9 HARTMAN: Thank you.
10 ELSER: I believe Bill Fishing has some additional
11 business.
12 IRVING: Have a wonderful holiday, Bill. We're
13 saving the best till last?
14 FISHERING: Saving the best till last.
15 IRVING: How exciting. Nice Christmas tie with fish
16 on it.
17 FISHERING: Yes.
18 IRVING: Golf clubs and fish.
19 BLOOM: Fish for "Fishing."
20 FISHERING: Yeah, you name it, we've got it.
21 BLOOM: Fish for "Fishing."
22 IRVING: Yeah, fish for "Fishing." How exciting!
23 FISHERING: Ladies and gentlemen, I'm Bill Fishing,
24 the County Attorney. What you have before you is a
25 letter agreement with Meadowbrook Farms, Inc., which

0043

1 is the owner of a large piece of property immediately
2 south of the GM Plant, in Lafayette Township. The
3 agreement basically provides for Meadowbrook Farms to
4 transfer 100 foot of right-of-way from Lafayette
5 Center down to their south boundary, whereupon you've
6 already taken bids to construct a concrete road,
7 relocated Zubrick Road in that area.

8 BLOOM: Right.

9 FISHERING: This agreement in many ways parallels the
10 agreement that you have with the property owners on
11 to the west, and provides that if you don't construct
12 the remaining portions of the road in seven years,
13 the right-of-way would revert, similar, again, to
14 what's going on to the west. The initial
15 construction, however, we hope to start this spring,
16 so that part of the road will be ours forever.

17 There are very--are a number of conditions,
18 some I'd be happy to discuss with you, but,
19 basically, like I say, we're going to relocate the
20 utilities, we're gonna help them if they make an
21 application for a right-in, right-out, on Lafayette
22 Center, in front of the Plan Commission. That, we
23 have no obligation to do other than to assist them
24 before the Plan Commission. And, we agree that if
25 they make an app--or, if they have a buyer that

0044

1 qualifies for an Indiana Grant, or Economic
2 Development, we will assist them in that, and then
3 construct the road on to the west.

4 BLOOM: Wow, good job!

5 IRVING: This, as you recall, when we took bids on
6 this project, this is just the--the start of shovel
7 ready sites that we are making available in our
8 community.

9 BLOOM: Uh-huh (affirmative).

10 IRVING: This is one thing that we have found,
11 through economic development, that we are lacking in
12 our community, are shovel ready, pre-zoned,
13 infrastructure available so when companies come in
14 with an executive team that has been set up, that
15 we're all ready for them, and we can now start
16 competing with other states that have been doing this
17 for a long time.

18 BLOOM: Several years ago we established four areas,
19 I believe, as economic development sites. We have,
20 not that I remember, done any since then. This has
21 taken a lot of--

22 IRVING: Coordination.

23 BLOOM: --oh, that's a great word, but what I'm
24 seeing, a lot of time out of Commissioner Irving's
25 schedule, and she has worked so hard, and met with so
0045

1 many people to get this accomplished. And, of
2 course, the location out there is fabulous for new
3 development, and another area we have the utilities
4 all under control, and I'm looking forward to
5 breaking ground on this one.

6 IRVING: Well, this is definitely a team effort. I
7 mean, it--not only your Highway Department, the
8 Surveyor's Office, Plan Commission, which Nelson led
9 the charge on the pre-zoning of some of this
10 property, Economic Development, it--it took a--a
11 large team to get this accomplished, and that's what
12 we are in County Government, a team.

13 BLOOM: So, we need to--

14 FISHERING: Approve the execution of this letter.

15 PETERS: I make a motion to approve the execution of
16 this agreement.

17 IRVING: I will second that motion.

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

19 IRVING: Aye.

20 BLOOM: Aye.

21 PETERS: Aye.

22 FISHERING: Thank you very much.

23 IRVING: Thank you. I make a motion we approve to
24 waive the second reading on any matters that were
25 approved today and which it may be deemed necessary.
0046

1 PETERS: I'll second it.

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

3 IRVING: Aye.

4 PETERS: Aye.

5 BLOOM: Aye. Any comments from the public this
6 morning? (No response.) Hearing none, the meeting
7 adjourned. Merry Christmas everyone.

8 IRVING: Thank you.

9 (Adjourned 10:47 a.m.)

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1 1 STATE OF INDIANA)
) SS:

2 2 COUNTY OF ALLEN)

3 3 REPORTER'S CERTIFICATE

4 4 I, Rhonda M. Mullholand, a Notary Public in
5 5 and for the State of Indiana, County of Allen, do
6 6 hereby certify that the above and foregoing is a true
7 7 and accurate transcript of the Board of

8 8 Commissioners' of the County of Allen, Legislative
9 9 Session, held before me on December 21, 2005, in the
10 10 Allen County Commissioners' Courtroom, Room 200,
11 11 City-County Building, 1 East Main Street, Fort Wayne,
12 12 Allen County, Indiana; that I am not related to,
13 13 employed by or interested in any of the parties to
14 14 this cause of action.

15 15 IN WITNESS WHEREOF, I have hereto affixed my
16 16 hand and seal this 22nd day of December, 2005.

17 17
18 18

Rhonda M. Mullholand, Notary Public
Residing in Allen County, Indiana

19 19
20 20

My Commission Expires:

21 21 June 21, 2009

22 22

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