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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 February 8, 2006

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DATE: February 8, 2006

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TIME: 10:13 a.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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22

REPORTER: Kimberlee M. Adams

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

6

- John McGauley Allen County Public
7 Information Office
- 8 Mary Hitchens Allen County Public
 Information Office
- 9
- Randy Brown General Manager,
10 War Memorial Coliseum
- 11 Eli Samaan A&Z Engineering
- 12 Jamaal Anabtawi A&Z Engineering
- 13 Joe Brita Allen County
 Juvenile Center
- 14
- Chandra Reichert Allen County
15 Juvenile Center
- 16 Robert Lee Allen County Treasurer
- 17 Bill Hartman Allen County Highway
 Department
- 18
- Michelle Wood Department of Planning
19 Services
- 20
- Gary Chappel Allen County Dept. of Health
- 21
- Carol Gigli Allen County Dept. of Health
- 22
- Mindy Waldron Administrative Director,
23 Department of Health
- 24 Craig Finlayson Assistant County Attorney,
 Swift & Finlayson
- 25

0003

1 ALSO PRESENT:

- 2 Dan Freck Director of Building
 Maintenance
- 3
- Ed Steenman Director of Information
4 Technology
- 5 James Herman Allen County Sheriff
- 6 Greg Roth Sheriff's Department
- 7 Janelle Roberts
- 8 Kimberlee M. Adams Rolf Reporting, Inc.
- 9 Kevin Leninger News Sentinel
- 10 Ben Lanka Journal Gazette

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- 6 rezone property to allow for future
- 7 commercial development. The 27.18 acre
- 8 site is located on the south side between
- 9 the 14400 and 14900 blocks of State Road
- 10 14/Illinois Road. Present zoning is
- 11 A-1/Agricultural. Proposed zoning is C-3
- 12 (P) / Planned General Commercial 9
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- 14 Radabaugh Auctioneers & Real Estate to
- 15 conduct auction of delinquent real estate
- 16 property 23
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- 18 Department for permission to apply for
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- 20 Assistance Grant (JAG); this grant will
- 21 be a joint application with the City of
- 22 Fort Wayne/Fort Wayne Police Department 25
- 23 5. Change Order #1 to Ice Builders, Inc., in
- 24 the amount of \$64,000 for the Team Room
- 25 Improvement Project at the Allen County
- 26 War Memorial Coliseum 27
- 27 6. Agreement between the Fort Wayne-Allen
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19 14. Approve County/State Agreement between
Allen County and Indiana Department of
20 Transportation covering preliminary
engineering for Reconstruction of Flutter
21 Road, from St. Joe Road to Schwartz Road,
Project STP-9902(066) 49

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15. Approve County/Consultant Agreement
23 between Allen County and A&Z Engineering
LLC covering preliminary engineering
24 services for Reconstruction of Flutter
25 (AGENDA continues)

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1 (AGENDA continued)
2 Road, from St. Joe Road to Schwartz Road,
Project STP-9902(066) = Total Agreement
3 is \$529,300.00 (County Share 20% =
\$105,860.00; State Share = \$423,440.00) 50

4
16. Approve Warranty Deeds required for right
5 of way acquisition on Coldwater Road,
Phase II, Project #04-254 from the
6 following property owners: 51

- 7 a) Parcel 12 - Maggos Development Corporation
- 8 b) Parcel 13 - Eleftherios and Parkaskevi Maggos
- 9 c) Parcel 14 - Joseph C. Seyfert
- 10 d) Parcel 17 - Joseph C. Seyfert
- 11 e) Parcel 50 - Devra Steury
- 12 f) Parcel 57/58 - Joseph C. Seyfert
- 13 g) Parcel 63 - I.R.M. Partnership

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17. Approve Warranty Deed required for right
15 of way acquisition on Maysville Road
16 Bridge over Koester Ditch, Bridge #109,
17 from the following property owner: 52

- 18 a) Parcel 2 - Taylor Chapel United Methodist Church, Inc.

19 18. Approve Warranty Deed required for right
of way dedication for Ridgecrest
20 Crossing, Project #B09-05 from the
21 following property owner: 53

17 a) Limited Access, LLC
18 19. Approve Warranty Deed required for right
of way dedication for Monroeville Senior
19 Apartment on Whittern Road from the
following property owner: 53

20 a) Jon K. Niemeyer
21 20. Approve Warranty Deed required for right
of way dedication at 16709 Aboite Road
22 required for construction of cul-de-sac
at I-69 from the following property
23 owners: 54

a) Tim and Theresa Krauhs

24

25 (AGENDA continues)

0008

1 (AGENDA continued)

2 21. Approve traffic posting changes at the
following intersections located in

3 Pheasant Run and Mariner's Ridge

Additions: 55

4 a) Rockcliff Court @ Greenleaf
Drive - Post STOP

5 b) Mariners Ridge Court @ Mariners
Ridge Drive - Post STOP

6 c) Rivertree Drive @ Hemphill
Drive - Post STOP

7 d) Rivertree Drive @ Redfield
Drive - Post STOP

8 e) Ridgetree Drive @ Redfield
Drive - Post STOP

9 f) Ridgetree Drive @ Pinetree
Drive - Post STOP

10 g) Redfield Drive @ Pinetree
Drive - Post STOP

11 h) Shoals Drive @ Pinetree
Drive - Post STOP

12 i) Bosuns Drive @ Shoals
Drive - Post STOP

13 j) Chesapeake Point @ Bosuns
Drive - Post STOP

14 k) Sea Pines Way @ Bosuns
Drive - Post STOP

15 l) Lighthouse Court @ Hemphill

Drive - Post STOP

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22. Other Business 56

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23. Approval to waive the 2nd Reading on any matter approved today and for which it may be deemed necessary for the Legislative Session of February 8, 2006 56

24. Comments from the Public 56

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0009

1 IRVING: Good morning and welcome to the
2 Commissioners Legislative Session of February 8th.
3 First, we'd like to all rise and say the Pledge of
4 Allegiance and with a--

5 LEE: Good timing.
6 IRVING: --good timing, Bob--a moment of silence.
7 (At this time, the Pledge of Allegiance was
8 recited in unison, and a moment of silence
9 was recognized by all.)

10 IRVING: Thank you very much. Approval of the
11 Minutes of the January 25th meeting.

12 PETERS: I make a motion to approve the Minutes of
13 January 25th.

14 BLOOM: Second.
15 IRVING: All in favor, say, "Aye."

16 BLOOM: Aye.
17 PETERS: Aye.

18 IRVING: Aye. Motion carried. Rezoning Petition
19 1567/06: Petition to rezone property to allow for
20 future commercial development. The 27.18 acre site is
21 located on the south side. Zoning is
22 A-1/Agricultural. Proposed zoning is C-3 (P)/Planned
23 General Commercial. Good morning.

24 WOOD: Good morning, Commissioners.
25 BLOOM: Good morning.

0010

1 PETERS: Good morning.
2 WOOD: Just fine. How are you? This petition in

3 front of you, 1567, is a rezoning for C-3(P)/Planned
4 General Commercial as you stated. This rezoning
5 petition was not accompanied by a development plan,
6 and most often we do see a development plan with a
7 rezoning. However, the applicant did submit a few
8 things that make it a little bit more like a
9 development plan and easier for staff to review and
10 recommend approval. This area is on the south side
11 of State Road 14 almost to West County Line Road and
12 it's just west of an earlier rezoning to C-2(B) which
13 is a shopping center district that was rezoned in
14 2002. That was for Bridgewater Center which is a
15 shopping center and that has not developed yet. It
16 did have a development plan. But that was not slated
17 to develop until 2007 or when State Road 14 was
18 improved. And I don't believe State Road 14 will be
19 improved by then--

20 BLOOM: No.

21 WOOD: --but--so the 2007, whichever comes first,
22 that's probably going to come first. So this
23 rezoning to C-3(P) adjacent to the C-2(B) presented
24 some conditions that the Planning Commission wanted
25 to make sure were taken care of. Without having a

0011

1 development plan, there's really no assurance that
2 the two will work together and connect, so the
3 applicant voluntarily agreed to record restrictive
4 covenants--

5 BLOOM: But do we have a copy of those?

6 WOOD: Yeah. Well, you do not, I do.

7 BLOOM: Because those were supposed to be faxed to
8 us, and--

9 WOOD: I see.

10 BLOOM: --I never got those.

11 WOOD: Okay, I can give you this copy.

12 BLOOM: Please. And this would be for the C-3(P).

13 WOOD: This is for the C-3(P).

14 BLOOM: And do we have them for the C-2(B) and why do
15 you think that they would not maybe be compatible?

16 WOOD: Well, I think Scott feels now that they will
17 be compatible--

18 BLOOM: With these restrictions.

19 WOOD: --but with--with the restrictions.

20 BLOOM: Okay.
21 WOOD: Planning Commission cannot condition a
22 rezoning.
23 BLOOM: No, no. I know.
24 WOOD: Once it's rezoned, it's rezoned.
25 BLOOM: I know.

0012

1 WOOD: We had meetings with the applicant and the
2 representative prior to the public hearing, discussed
3 Staff's concern, that, you know, as this comes in, we
4 didn't want it to come in as a piecemeal, you know,
5 one building at a time--
6 BLOOM: Right.
7 WOOD: --with no connectivity, no compatibility. So
8 with the restrictive covenants, they've actually
9 restricted some of the uses as well that are allowed
10 in that district. And also, they're committing to
11 doing an architectural control committee, and--so
12 that it will be a unified development. With C-3 each
13 building can come in by itself.
14 IRVING: Right.
15 WOOD: It doesn't--it's not like a strip center or a
16 shopping center where you almost always see the
17 entire development come in in one primary development
18 plan. This could come in separately, but they have
19 committed to bringing in as one unified development,
20 even though they don't have to, but when they're
21 ready to develop, they would bring it in together.
22 BLOOM: What's the one on the south side of 14 [State
23 Road 14] and Scott?
24 WOOD: Shoppes at Scott. Is that--
25 IRVING: Uh-huh (affirmative).

0013

1 WOOD: Uh-huh (affirmative).
2 BLOOM: What's that one zoned?
3 WOOD: That is--that has a C-2 zoning classification
4 because they are connected. In the shopping center
5 district, you can have attached buildings and then--
6 BLOOM: And then outlots also.
7 WOOD: --and outlots also. On the north side of
8 State Road 14 at Scott, that went in as a--not a C-2,
9 as a C-1. They were separate buildings.
10 BLOOM: And this "3" [C-3] means?

11 WOOD: The "3" [C-3] is Planned General Commercial.
12 It--it's a little more intensive of a classification
13 than a C-1 or a C-2. It allows uses that aren't
14 permitted in a C-1 and C-2 which is why--

15 BLOOM: The restrictions.

16 WOOD: --the restrictions.

17 BLOOM: I gotcha.

18 PETERS: Michelle, what are some of the things that
19 are allowed on a C-3(P) and some of the things that
20 aren't allowed on a C-3(P)?

21 WOOD: In a C-3, as opposed to the C-1, it allows
22 some of the automobile uses--

23 BLOOM: Uh-huh (affirmative).

24 WOOD: --like service--

25 BLOOM: Uh-huh (affirmative).

0014

1 WOOD: --that type of thing, a little more intensive
2 that what you'd see in a C-1. And actually,
3 something else that triggered this rezoning is the
4 Hambrock property.

5 PETERS: Uh-huh (affirmative).

6 WOOD: You might notice on your aerial, there's an
7 existing house with a lake and a--and a barn at the
8 rear of the property. That's the Hambrock electric
9 contracting business.

10 BLOOM: Okay.

11 WOOD: And he's been operating under a special
12 exception--

13 BLOOM: The variance.

14 WOOD: --through the Board of Zon--or a variance--

15 BLOOM: Okay.

16 WOOD: --under the Board--

17 BLOOM: Okay.

18 WOOD: --of Zoning Appeals.

19 PETERS: So he's been operating as a C-3(P)
20 business--

21 WOOD: Right--

22 PETERS: --under a--

23 WOOD: --it's a C-3(PU) through a variance.

24 PETERS: Uh-huh (affirmative).

25 WOOD: So, that kind of triggered this whole

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1 rezoning, was to get him under the correct zoning.

2 And then--

3 BLOOM: And be included in this?

4 WOOD: --and then he would be included in this. So
5 if he--if this were ever to develop commercially--
6 commercially, that house would not be a part of that.

7 IRVING: Right.

8 BLOOM: Right.

9 WOOD: He would sell that off.

10 BLOOM: He could still have his business, but--

11 WOOD: He could still have his business.

12 BLOOM: I gotcha.

13 WOOD: And that would have to be worked into the
14 overall plan. And that's actually a very attractive
15 property. I don't know if you've been out there,
16 but--

17 IRVING: Yeah, it is. It's nice.

18 BLOOM: Uh-huh (affirmative).

19 WOOD: --you don't really see--

20 BLOOM: Uh-huh (affirmative).

21 WOOD: --the business. But at the same time, the
22 other applicants, the other parcels involved came in
23 at the same time, which--we actually like to see a
24 larger scale rezoning than a piecemeal, you know--

25 PETERS: Right.

0016

1 WOOD: --than if just Hambrook came in.

2 BLOOM: Yeah.

3 WOOD: We would rather see a bigger rezoning so that
4 we can have more common of an access and
5 compatibility.

6 BLOOM: Right.

7 IRVING: You mentioned--and since this is something
8 that we normally do not do--usually when this type of
9 development comes in, we have a chance to view what
10 the expectations for the architect control would be.

11 BLOOM: Oh, yeah.

12 IRVING: In this case, we don't.

13 WOOD: That's correct.

14 IRVING: So, does the Executive Committee of Planning
15 Commission--will they have a chance to review this or
16 is it strictly just Department of Planning Services?

17 WOOD: No. The--the Planning Commission as a whole
18 will be able to view. This will have to come back as

19 a primary development plan.
20 IRVING: Okay.
21 WOOD: So--so the act--
22 IRVING: Okay.
23 WOOD: --the same restrictions and conditions that we
24 would have placed at this time, can be done at a
25 later time through the primary. The only difference
0017

1 for you is as a Commissioner--as the Commissioners,
2 you will not be able to have a vote--
3 BLOOM: No. Not that--not after--
4 WOOD: --on--on that.
5 BLOOM: --we rezone it.
6 WOOD: You would not be able to look at it as a
7 whole.
8 IRVING: Right.
9 WOOD: You are looking at it just as a rezoning.
10 BLOOM: What's the--
11 WOOD: But--
12 BLOOM: --what's that area on the southwest--
13 southwest side of Hadley and Scott? What's that
14 zoned in there?
15 WOOD: Southwest corner of Hadley and Scott.
16 BLOOM: Am I doing the wrong--
17 IRVING: Oh, you're--that's quite a ways.
18 WOOD: I think that's in the City and that has--
19 BLOOM: Not Inverness. The other--yeah. Covington
20 Dells, behind there, where Bandido's is.
21 WOOD: Oh, that's a mixture of C-1, C-2, and
22 multi-family. So that has--excuse me, not C-2. C-1,
23 which is limited commercial, C-1(AP), which is
24 professional and personal services, and then multi-
25 family. So, you could see the same uses in--in both
0018

1 districts because the C-3 allows the C-1.
2 BLOOM: But evidently the covenants that were on that
3 area were not followed. And once it was rezoned, who
4 is on first because the--the restrictions were not
5 followed.
6 WOOD: I see what you're saying. With the--with the
7 Bandido's?
8 BLOOM: Well--
9 WOOD: Or with any--well, the assurance you have here

10 is these would be recorded and I--I believe you would
11 have the option to defer this until they're recorded
12 if--you know, to make sure that they're recorded
13 along with the rezoning. We could--and then when it
14 comes back for a primary, they--they can't--still
15 cannot develop without going through a primary
16 development plan. It's going to a planned district.

17 BLOOM: But we then already zoned it.

18 WOOD: It's already zoned, but the Planning
19 Commission would still have the ability to place
20 conditions, require another look at the con--at the
21 covenants. So, at this point, it's a voluntary
22 covenant that they are going to place on the
23 property. So ac--

24 IRVING: But it could have a tatoo parlor there,
25 correct, if I'm reading this right? And no massage

0019

1 parlors, but we could have a tatoo parlor, right?

2 WOOD: That's correct.

3 IRVING: Okay.

4 WOOD: That is correct.

5 BLOOM: This is--what--what about our--all these
6 RSP-1's and this A-1, and--I can see that it's all
7 residential. And with this C-2(B) there, what are
8 the neighbors now thinking of a 3--C-3(P)?

9 WOOD: As far as remonstrance on this project, the
10 only letter we received was from the property owner
11 immediately west of the proposed property. And
12 actually, I don't even believe it was a letter, I
13 think it was just a phone call. But--

14 BLOOM: A little parcel or a big parcel?

15 WOOD: Yeah, it's a small parcel.

16 BLOOM: Okay.

17 WOOD: And I believe that property owner had, at one
18 time, wanted to be a part of this proposal and--and
19 did not--did not end up being part of it.

20 BLOOM: To rezone himself too.

21 WOOD: We did not hear any remonstrance from the
22 properties to the south. They're RSP-1.

23 IRVING: Could you restate, just so I understand it,
24 why--why is it that they didn't go for a C-2(B)?

25 WOOD: The--the existing Hambrock, that would not fit

0020

1 within that--
2 PETERS: That's right.
3 WOOD: --category.
4 IRVING: That's right.
5 BLOOM: Because?
6 WOOD: Well, this--it does not appear--
7 PETERS: Because of what it is.
8 WOOD: Yeah. The electrical--he has an electrical
9 contracting business--
10 BLOOM: Right, I understand. But--
11 WOOD: --so that does not fit--
12 BLOOM: --that wouldn't fit--
13 WOOD: Not in the--
14 BLOOM: --in the C-2(B)?
15 WOOD: --C-2. Nuh-uh (negative). You have to go up
16 to C-3.
17 BLOOM: So why couldn't they have a different--why
18 couldn't they have the same zoning and he could still
19 get a variance?
20 IRVING: Or it be grandfathered in?
21 WOOD: Once--if he is not--he would have to get a new
22 variance. I think the--the feeling--
23 BLOOM: Yeah.
24 WOOD: --from the BZA would be, if you're going to go
25 that route, just rezone it to the proper zoning

0021

1 rather than--I mean--I mean, that's an option.
2 BLOOM: But does that mean that whole area has to be
3 rezoned to that?
4 WOOD: No, they could--they could have petitioned to
5 have that as a separate parcel with a different
6 zoning.
7 PETERS: Michelle, is there any reason now that
8 Bridgewater Center won't come back and ask for a
9 C-3(P) zoning?
10 WOOD: I don't see that happening as they already
11 have an approved development plan for a shopping
12 center. I also don't see in that area the need for
13 that much C-3 zoning. And, you know, as far as--and
14 this is just conjecture--but as far as the market
15 goes, you know, the C-3 allows the same uses as the
16 C-2. It would not allow an attached development,
17 like a strip center, but it could still lo--allow the

18 outlots. So if the market demanded restaurants
19 rather than another similar use, like an electrical
20 contracting business, it can certainly be used for
21 that. So it's not prohibiting it from having the
22 same types of uses as the shopping center district.
23 PETERS: Uh-huh (affirmative).
24 BLOOM: I've had no calls on this.
25 WOOD: But no, I--I do not foresee that becoming C-3.

0022

1 BLOOM: I've had no calls on this.
2 PETERS: That's a good thing.
3 BLOOM: Or--or against. No, that's what I mean.
4 Usually when they're--
5 WOOD: If--if it weren't for the--
6 BLOOM: --upset with this that they call.
7 WOOD: --if it weren't for the voluntary use
8 restrictions and architectural control--
9 BLOOM: Then they would have.
10 WOOD: --I think Staff would have looked at this a
11 lot differently, which is why we did meet with them
12 prior to the public hearing.
13 PETERS: Uh-huh (affirmative).
14 WOOD: And they also committed to connect--to have a
15 connection between the two developments, which will
16 further make it a more cohesive development rather
17 than a piecemeal development.
18 BLOOM: I watched on our web, the meeting,
19 deliberately because of this project. I was
20 extremely confused with the zoning.
21 WOOD: Yeah.
22 PETERS: Well, I think I've gotten all of the
23 information I need and appreciate your responses. To
24 that end, I'd make a motion to approve Rezoning
25 Petition 1567/06.

0023

1 BLOOM: I'll second.
2 IRVING: All in favor, say, "Aye."
3 BLOOM: Aye.
4 PETERS: Aye.
5 IRVING: Aye. Motion carried.
6 WOOD: Thank you, Commissioners.
7 IRVING: Thank you. Agreement between Allen County
8 and Radabaugh Auctioneers & Real Estate to conduct

9 auction--

10 BLOOM: Good morning.

11 IRVING: --of delinquent real estate property.

12 LEE: Good morning.

13 PETERS: Good morning.

14 IRVING: Good morning, Bob.

15 LEE: Bob Lee, the Allen County Treasurer. Thank

16 you. Last year was the first year we used a

17 professional auctioneer to conduct our tax sale. And

18 I believe that went really well. It was well

19 received by the public. It went very smoothly. So,

20 that was a one-time contract. Our next tax sale is

21 in March, which is what we call an expedited sale.

22 It's the properties that didn't sell last fall--

23 BLOOM: Oh, right.

24 LEE: --come back. And we'd like to use Radabaugh

25 again for that auctioneering services.

0024

1 BLOOM: This worked out well for you, didn't it?

2 LEE: It worked out really well, so--

3 BLOOM: Uh-huh (affirmative). And the cost was

4 great.

5 LEE: Yeah, I was trying to remember that. It was a

6 dollar rate and it--but--

7 BLOOM: Uh-huh (affirmative).

8 LEE: --and it was good for--

9 BLOOM: \$30.00 an hour or something?

10 LEE: Something like that.

11 BLOOM: Yeah.

12 LEE: And it was good--an auc--the auctioneer liked

13 doing it. He liked doing it for the community and it

14 also gave him some exposure--

15 BLOOM: Of course.

16 LEE: --to people in that business, so.

17 BLOOM: I'd like to make a motion to place an

18 agreement between Allen County and Radabaugh

19 Associates & Real Estate for the auction in May for

20 the Treasurer.

21 PETERS: I'll second it.

22 IRVING: Any more discussion? Hearing none, all in

23 favor, say, "Aye."

24 BLOOM: Aye.

25 PETERS: Aye.

0025

1 IRVING: Aye. Motion carried.

2 LEE: Thank you very much.

3 BLOOM: Thank you.

4 IRVING: And Bob, you did a--a wonderful job before

5 we got the auctioneer, but because of the amount of

6 them, I know that this is much more efficient for us.

7 And it was very interesting. I enjoyed it and look

8 forward to going again.

9 LEE: Okay. Well, it freed Sue and I up to--to work

10 problems--

11 IRVING: Right.

12 LEE: --that we wouldn't--

13 IRVING: That's right.

14 LEE: --be able to do if we were auctioneering.

15 BLOOM: But she's right, it was good.

16 IRVING: Thank you.

17 LEE: Thank you.

18 IRVING: Request by the Allen County Sheriff's

19 Department for permission to apply for the Edward

20 Byrne Memorial Justice Assistance Grant, or JAG.

21 This grant will be a joint application with the City

22 of Fort Wayne and the Fort Wayne Police Department.

23 I thought you guys never cooperated.

24 BLOOM: Hi, Sheriff.

25 HERMAN: First of all, good morning. I'm Sheriff Jim

0026

1 Herman--

2 IRVING: Good morning.

3 HERMAN: --here to talk about this grant. I--this

4 actually was a City-bought grant that turned into

5 this--this JAG grant. And we--we used to do this

6 with the City and they would give us a part of it to

7 take care of the AFIS system. Now, we are kind of

8 applying on our own as a joint application with the

9 City. Last year I think we got a little bit more

10 money. I think it was around \$60,000.00. This year

11 it looks like it's going to be lower than that by

12 quite a little bit, somewhere in the \$30,000.00 area.

13 And we're--we're going to use that money to refresh

14 our in-car camera situation. We've got--

15 BLOOM: Okay.

16 HERMAN: --cameras in all of our cars--

17 IRVING: Right.

18 HERMAN: --but some of them are getting at the end of
19 their lifespan.

20 IRVING: I think it's been remarkable, Sheriff, the
21 amount of--if you watch national TV or--or even
22 local--the amount blurps--and they're doing complete
23 TV shows now off of the cameras and the--the--so I
24 think it's been positive.

25 BLOOM: Blurps?

0027

1 IRVING: Well, they are. They're just little blurps.

2 That sounds like something our attorney would say,
3 doesn't it?

4 PETERS: I make a motion to approve the request by
5 the Sheriff to apply for the Edward Byrne Memorial
6 Justice Assistance Grant.

7 BLOOM: Second.

8 IRVING: Anymore discussion? Hearing none, all in
9 favor, say, "Aye."

10 BLOOM: Aye.

11 PETERS: Aye.

12 IRVING: Aye. Motion carried. Thank you very much,
13 Sheriff.

14 HERMAN: Thank you very much.

15 BLOOM: Thank you.

16 IRVING: Change Order #1 to Ice Builders,
17 Incorporated, in the amount of \$64,000 for the Team
18 Room Improvement Project at the Allen County War
19 Memorial Coliseum. Good morning.

20 BROWN: Good morning, folks.

21 BLOOM: Good morning.

22 BROWN: I'm Randy Brown, General Manager of the Allen
23 County War Memorial Coliseum. What we have before
24 you this morning is Change Order #1 for Ice Builders,
25 Incorporated. The original contract with Ice

0028

1 Builders was for the ice floor replacement project,
2 if you recall. Some very positive elements of this,
3 we've had--prior to this Change Order for the team
4 rooms, we've completed the project with no change
5 orders. They've come in on time, actually ahead of
6 schedule, on-budget, and we will still have other
7 funds available we do not anticipate using. So, what

8 we're talking about here is renovation of our four
9 team rooms: team rooms one, two, three, and four, new
10 mondo flooring throughout, so all new vinyl flooring.
11 And when we're talking ice and skating, we're not
12 talking a typical vinyl floor. The thickness of the
13 product is approximately three-eighths of an inch
14 thick, color throughout. All new player benches,
15 lockers for the team room. We're going to have very
16 nice team rooms. As I think Susan can attest to,
17 right now our team rooms do leave a little bit to be
18 desired. And--
19 IRVING: So does--
20 PETERS: Why was--
21 IRVING: --that mean you're in the men's locker room?
22 PETERS: Yeah, why was Susan in there?
23 BROWN: Well, Su--Susan is a hockey mom for those of
24 you who don't know that, and she spends a lot of time
25 at the Coliseum--

0029

1 ELSER: Seven years--
2 BROWN: --with her son.
3 BLOOM: Susan--
4 ELSER: --in those locker rooms.
5 IRVING: Oh my goodness.
6 BLOOM: --yeah.
7 BROWN: But--no, I can't say that with the hockey
8 team that I've seen her frequently just hanging
9 around the locker rooms, but she does support the
10 kids.
11 BLOOM: You took me through there one time when we
12 couldn't get to the ice when I had a damaged foot or
13 something, and the hockey team was present in there--
14 BROWN: It's rather aromatic, isn't it?
15 BLOOM: --and it was--uh-huh (affirmative).
16 BROWN: Yes? So--
17 IRVING: You know, as President here, I think this is
18 more information than I ever really wanted to know--
19 BLOOM: Well, I mean, I just wanted to--
20 IRVING: --about the locker room.
21 BROWN: Wonderful disclosure. We just thought--
22 IRVING: How about you, Nelson?
23 BROWN: --it was appropriate.
24 BLOOM: But I wanted you all to know that I've been

25 in there too.

0030

1 IRVING: Well, fortunate or unfortunately, when Randy
2 took me through it, it was empty.

3 BROWN: Well, it was opening night, in all fairness,
4 wasn't it?

5 BLOOM: It was, it was.

6 BROWN: And Commissioner Bloom was being honored, so
7 it--it was appropriate at the time.

8 BLOOM: That I got--uh-huh (affirmative), most
9 definitely.

10 BROWN: This work will be done primarily in August
11 and September at the end of the indoor football
12 season, and there is a completion date of October 1st
13 on the agreement, so--and one of the concerns was--is
14 the--is the product cost locked in, and I do have a
15 verbal on that. I will make sure I have a written to
16 follow-up on that, Commissioner Peters.

17 BLOOM: I'd like to make a motion for Change Order #1
18 to Ice Builders, Inc. in the amount of \$64,000.00.

19 PETERS: I'll second it.

20 IRVING: Anymore discussion? Hearing--

21 PETERS: I think we've had enough.

22 IRVING: --I just thought Susan maybe wanted to join
23 in--no. All in favor, say, "Aye."

24 BLOOM: Aye.

25 PETERS: Aye.

0031

1 IRVING: Aye. Motion carried.

2 BROWN: Have a great morning, folks.

3 BLOOM: Thank you.

4 IRVING: Thank you very much. Susan, keep an eye on
5 the project for us, okay?

6 ELSER: I will, I promise.

7 IRVING: Thank you.

8 BLOOM: Seven years.

9 IRVING: Agreement between the Fort Wayne-Allen
10 County Department of Health and Allen County for
11 contracting services for the Allen County Onsite
12 Water--Wastewater Management District.

13 BLOOM: Good morning.

14 IRVING: Good morning.

15 WALDRON: Good morning.

16 PETERS: Good morning.

17 WALDRON: Mindy Waldron, Administrator of the
18 Department of Health.

19 FINLAYSON: Craig Finlayson, Assistant County
20 Attorney assigned to the Board of Health.

21 IRVING: Great. What do you have for us today?

22 FINLAYSON: Today, we have an agreement to be entered
23 into by the Commissioners and the Board of Health.

24 As you recall, in 19--or in 2004, you all adopted a--
25 an onsite wastewater management district wherein

0032

1 the--the three commissioners sit as the--as the Board
2 of that entity. Pursuant to the statute, you're

3 required to perform certain functions, and rather

4 than create another entity and staffing to do that,

5 the Board of Health has agreed that with their

6 staffing and with some support by you all in buying

7 some equipment, that we'll undertake this function.

8 And so that's the contract that's before you today

9 which has been reviewed by Mr. Fishing and okayed

10 by him. So--

11 BLOOM: Do we have a copy of this?

12 PETERS: Yes, we're playing with it.

13 BLOOM: Oh.

14 IRVING: Well, we asked for two changes, and Nelson

15 and I were just--here, you want to take a look at it?

16 FINLAYSON: I believe--

17 PETERS: Yeah, I'm comfortable with those.

18 WALDRON: Do you have the correct--

19 FINLAYSON: Yeah.

20 WALDRON: Okay.

21 IRVING: Yeah.

22 FINLAYSON: The change--do you see the changes on--

23 on--

24 WALDRON: The top of the second page.

25 ELSER: It's on the first page now.

0033

1 WALDRON: Okay.

2 PETERS: I was looking for the top of the second page

3 and I couldn't find it.

4 FINLAYSON: Yeah.

5 PETERS: That's because it's at the bottom of the

6 first page.

7 WALDRON: Oh.

8 FINLAYSON: Right.

9 BLOOM: Okay, we were going to spend the 9,000

10 [\$9,000.00] for adequate equipment.

11 FINLAYSON: Uh-huh (affirmative).

12 BLOOM: And then--yeah, it is on the first page now.

13 IRVING: Right.

14 BLOOM: I--I think the way it is written now that

15 this is a good agreement between the Board of Health

16 and Allen County for the services for onsite

17 wastewater management. I think this is a real joint

18 effort here and I'm delighted that we can give the in

19 this wastewater district to the Board of Health for

20 the service.

21 WALDRON: We appreciate that. And we think it's also

22 a proactive step that the Board took--

23 BLOOM: Uh-huh (affirmative).

24 WALDRON: --to adopt the first ordinance--

25 BLOOM: Thank you.

0034

1 WALDRON: --to allow for these systems in Allen

2 County.

3 PETERS: Well, thanks for your willingness to take it

4 on.

5 IRVING: That's right.

6 WALDRON: Thank you.

7 IRVING: I'll entertain a motion, if there's no more

8 discussion.

9 PETERS: I'll make a motion to--

10 BLOOM: I did one.

11 PETERS: --approve the agreement between Fort

12 Wayne/Allen County Department of Health--

13 BLOOM: I did one.

14 PETERS: --and Allen County for contracting services

15 for the Allen County onsite wastewater management

16 district.

17 BLOOM: You're seconding. I had already made the

18 motion.

19 PETERS: I just heard you say you liked it, but I'll

20 second it.

21 IRVING: I'm saying this tongue in cheek, is there

22 anymore discussion?

23 BLOOM: Okay, well then, I'll second Nelson's.

24 IRVING: All in favor--well, we have probably
25 exhausted this one, so all in favor, say, "Aye."

0035

1 BLOOM: Aye.

2 PETERS: Aye.

3 IRVING: Aye. Motion carried.

4 BLOOM: Thank you.

5 IRVING: And thank you very much. And thank you for
6 your efforts in this too, Rocky. We appreciate it.

7 PETERS: Is that the first time we got a third out of
8 a motion?

9 IRVING: I don't know. With the Board of Health
10 office--

11 BLOOM: Hey.

12 IRVING: --you never know. Okay, addition to the
13 Allen County Code--I think you're still up again--
14 Allen--addition to the Allen County Code - Title
15 12(Financial) Article 137 for the Fort Wayne-Allen
16 County Department of Health concerning Medication and
17 Vaccine Reimbursement Fund (Ordinance #2-08-06-04).

18 FINLAYSON: What we're asking for here is that you
19 establish a reimbursement fund so that--as you're
20 aware, we charge for certain medications and--and
21 vaccinations upstairs that are given.

22 IRVING: Right, right.

23 FINLAYSON: And rather than come back and ask for
24 funds all the time, what we're--what we'd like to do
25 is just have those go back in the fund so we can

0036

1 purchase more vaccines and medications as the need
2 occurs. Obviously, if we have a run on any
3 particular one, we may not have enough money to have
4 to go back. But this way, the majority of the time
5 it won't require us to just come back to fill up the
6 fund again to--

7 BLOOM: It's non-reverting, yeah.

8 FINLAYSON: --buy--right, just a reverting fund.

9 BLOOM: It will just continue.

10 WALDRON: And it will also allow for when there's
11 emergent need where we--

12 BLOOM: You'll have the money.

13 WALDRON: --need to purchase within a couple-day
14 period for an outbreak and such. It would allow it

15 happen quicker.

16 BLOOM: You just won't go through the hoops, you'll
17 just be able to do this, as you should.

18 WALDRON: Right.

19 BLOOM: I'll make--this time, I'm making a motion for
20 you, Nelson--for the Code Title 12, Article 137 for
21 the Medication and Vaccine Reimbursement Fund
22 (Ordinance #2-08-06-04).

23 PETERS: And I'll third--I mean, I'll second that
24 motion.

25 IRVING: All in favor, say, "Aye."

0037

1 BLOOM: Aye.

2 PETERS: Aye.

3 IRVING: Aye.

4 WALDRON: Thank you.

5 IRVING: Motion carried.

6 BLOOM: Thank you.

7 WALDRON: Thank you very much.

8 IRVING: We are waiting for a Department Head to
9 handle number eight, so we will go ahead to number
10 nine which is contracts between the Board of
11 Commissioners and surrounding counties for the
12 abilitel--availability of at least one bed for the
13 detention of juvenile offenders at the Allen County
14 Juvenile Center. Contracts are with the following
15 counties: Adams, DeKalb, LaGrange, Noble, Steuben,
16 Wells, and Whitley. Good morning.

17 BRITA: Good morning, Commissioners.

18 BLOOM: Good morning.

19 PETERS: Good morning.

20 BRITA: I'm Joe Britta with the Allen County Juvenile
21 Center and this is Ms. Reichert who is our financial
22 specialist, and we're here to ask you to sign
23 contracts.

24 IRVING: This is a positive agreement that--I don't
25 know how many years you've done this now, Joe, can

0038

1 you help me out?

2 BRITA: Fifty [50].

3 IRVING: It's been a long time.

4 BRITA: Many, many years.

5 IRVING: But they pay \$5,000.00 a year to secure a

6 bed, and then they pay the \$70.00 a day rate on top
7 of that when the bed is being utilized.

8 BRITA: That's correct. And there's--they're pretty
9 much always being utilized.

10 IRVING: It's nice to know that there's other
11 counties that have kids that need to be there besides
12 just ours sometimes too because it helps to defray
13 the cost.

14 BRITA: Sure. And I do feel sorry for the smaller
15 counties around us. If you're a county, you have to
16 have a jail, but there are only 22 of us in--in the
17 state of Indiana, so you know the counties that are
18 around us don't--don't have juvenile facilities, so.

19 BLOOM: Wells was, I thought, building a facility or
20 it has built, and they still want to have
21 availability for one bed with us?

22 BRITA: Yeah. And I'll tell you what's going on,
23 most--if you--if you take Allen County, Marion
24 County, St. Joe County, and Lake--

25 BLOOM: Okay.

0039

1 BRITA: --the other detention centers in Indiana,
2 Commissioner, are like 10 and 15 bed facilities.
3 That's about--and oh, what big trouble they have
4 because you know, generally they're not full. So I
5 think a lot of these counties, if they do elect to
6 build one, they're not going to back off because
7 they're going to be full, so.

8 PETERS: Mr. Britta, from a purely financial
9 standpoint, this seems to make a lot of sense and--
10 and I certainly endorse the idea behind it. But in a
11 time where we find ourselves often times at full
12 capacity, how does that play into the scenario? Do
13 we end up having to push anybody into the streets, or
14 push anybody into another facility, to insure that
15 we've got room?

16 BRITA: No. We've never had to do that,
17 Commissioner. We've always made room. With the new
18 center, you know, thanks to Commissioner Irving, we
19 don't run into that problem anymore.

20 IRVING: Uh-huh (affirmative).

21 BRITA: We do have ample space to house those people
22 now. So--

23 PETERS: Okay.

24 BRITA: --it's--it's really lightened our load.

25 BLOOM: The juvenile center was built large enough to
0040

1 accommodate the justice center. It seems like it's
2 been full ever since we opened it a year and a half
3 ago, almost two years ago.

4 PETERS: And I guess that's my concern. I mean, it--
5 if it seems like it's full, then--and then how do we
6 have room for other counties?

7 BRITA: Generally, when we hold for another county,
8 it's not very long because their--their calendars in
9 small counties are not like ours. Very rarely,
10 Commissioner, do they make it off that intake unit.

11 PETERS: Okay. So it's a quick--

12 BRITA: Very rarely.

13 PETERS: --in and out?

14 BRITA: Yeah, yeah, generally. They're there two or
15 three days. Every once in a while, we catch a long
16 one. We've held an out of county kid for a year one
17 time, not--not recently. But that does happen.

18 BLOOM: Really?

19 BRITA: But generally, they're in and out of there in
20 a matter of a few days, and then somebody else comes
21 in, so.

22 PETERS: Well, I was going to say, let me take the
23 other side of the coin then, does it make sense if
24 those are the worst of the problems, does it make
25 sense to go out and try and develop these types of
0041

1 contracts with yet additional counties?

2 BRITA: It makes absolute sense, Commissioner, and
3 it's something that we're looking into. I would
4 think soon, there will probably be discussion with
5 the Commissioners, with the judge, with Attorney
6 Fishing to see which direction we go.

7 PETERS: Okay.

8 BRITA: It makes absolute sense.

9 PETERS: Good. Glad to hear it.

10 BRITA: Yeah.

11 PETERS: I'd like to see it happen.

12 BLOOM: I'll make a motion that we complete the
13 contracts between the Board of Commissioners and the

14 counties surrounding us for the detention of juvenile
15 offenders at our juvenile center for one bed each.
16 Correct?
17 BRITA: Yes, ma'am.
18 BLOOM: At least one bed.
19 PETERS: I'll second it.
20 IRVING: Anymore discussion? Hearing none, all in
21 favor, say, "Aye."
22 PETERS: Aye.
23 BLOOM: Aye.
24 IRVING: Aye. Motion carried. I do want to add
25 one--

0042

1 BRITA: I know--I know where you're going,
2 Commissioner. Let me a--
3 IRVING: You saw my mouth going--
4 BRITA: Uh-huh (affirmative).
5 IRVING: --like this.
6 BRITA: I do. And I know you well. Anybody that's
7 not on contra--under contract with us, and it--and it
8 happens. They call and say, "We're in a jam," we're
9 at 150. It's--it's 100--
10 IRVING: Right.
11 BRITA: --straight.
12 IRVING: And the other thing I think we need to add,
13 if you look at a map and see the location of other
14 facilities too and the surrounding areas--you know,
15 there's 22 within the state--and you look at the
16 surrounding areas, a lot of them have agreements too.
17 So--and I--I am not aware--Joe, please correct me--
18 five and a half years I've been working with you, we
19 have ever turned down someone either that has needed
20 a place--
21 BRITA: No.
22 IRVING: --for a child.
23 BRITA: I'll tell you what, what does happen a lot of
24 times, a county will have their bed occupied and then
25 I'll get a call in the middle of the night and say,

0043

1 you know, "Well, this happened," in Noble County or
2 LaGrange County, and "we don't know what to do," and
3 I say, "Bring them. Try and move the one in there as
4 fast as you can, but don't--bring them."

5 IRVING: Right.

6 BRITA: So--

7 IRVING: So I think it's a real cooperative effort--

8 BRITA: Sure, it is, absolutely.

9 IRVING: --too on it. So--well, we'll continue to
10 explore that.

11 BRITA: Thanks, Commissioners.

12 IRVING: Thank you very much.

13 PETERS: Thank you.

14 BRITA: Okay.

15 IRVING: Thank you.

16 REICHERT: Thanks.

17 IRVING: Dan, we skipped over you, but now that
18 you're here, the Agreement between Allen County and
19 MacAllister Power Systems for Preventive Maintenance
20 on emergency generators in the City-County Building
21 and Allen County Community Corrections.

22 FRECK: Good morning.

23 IRVING: Good morning.

24 FRECK: Sorry.

25 PETERS: Good morning.

0044

1 BLOOM: Good morning.

2 FRECK: What is before you is a contract that we try
3 to--we had done it on a yearly basis, it's a backup
4 generator system for the City-County Building and
5 then you have a backup generator system for Community
6 Corrections. We went from a one-year--they're asking
7 that if we do a three-year guarantee, that the price
8 will stay for three years. We're trying to implement
9 a longer process so we can keep the same amount of
10 money per year--

11 IRVING: Right, right.

12 FRECK: --and then we'll renegotiate that after the
13 third year.

14 BLOOM: I'll make a motion for the maintenance
15 agreement between Allen County and Technical
16 Difference, Inc.--

17 PETERS: No, that's MacAli--

18 ELSER: No.

19 PETERS: --MacAllister.

20 IRVING: We're on eight.

21 BLOOM: Oh, we're out of line. I already crossed

22 that off. For Allen County and MacAllister Power
23 Systems for preventative maintenance on the
24 generators.

25 PETERS: I'll second it.

0045

1 IRVING: All in favor, say, "Aye."

2 BLOOM: Aye.

3 PETERS: Aye.

4 IRVING: Aye. Motion carried. Thank you.

5 FRECK: Okay. Thank you.

6 IRVING: Do you have anything else with us today?

7 FRECK: No. We did--we had had a power outage a
8 couple of weeks ago. And we found fault at Community
9 Corrections. I had since met with Director Sheila
10 Hudson over there. We feel that we had corrected
11 that problem. We had an oversight, which we as
12 maintenance did not realize was there, but we felt
13 that we should take part of the blame for that
14 problem, which I did, and I told her we would correct
15 that. We now have that corrected and hopefully that
16 will never happen again. Just one of those
17 problems--

18 BLOOM: Right.

19 IRVING: right.

20 FRECK: --that we ran into. But we've always been
21 blessed not having any problem here in the
22 City-County Building, but we'll stay on top of that
23 one for Sheila Hudson.

24 IRVING: Thank you.

25 FRECK: That's it.

0046

1 BLOOM: Thank you.

2 IRVING: Thank you.

3 FRECK: Thank you.

4 IRVING: Maintenance Agreement between Allen County
5 and Technical Difference, Inc. for "People-Trak"
6 services.

7 BLOOM: That's the one I already tried to do.

8 IRVING: Good morning, Ed.

9 STEENMAN: Good morning.

10 BLOOM: Good morning.

11 PETERS: Good morning.

12 STEENMAN: This agreement is an annual service

13 agreement with People--with Technical Differences for
14 support of "People-Trak." They have--we've made use
15 of that extensively in this first year of having
16 their product, and this is just continuing that
17 maintenance.

18 BLOOM: Well, I'll make that motion again for the
19 maintenance agreement for Allen County and Technical
20 Difference, Inc.

21 PETERS: I'll second it.

22 IRVING: All in favor, say, "Aye."

23 BLOOM: Aye.

24 PETERS: Aye.

25 IRVING: Aye. Motion carried. Thank you very much.

0047

1 STEENMAN: Thank you.

2 IRVING: Letter of Agreement between the City of Fort
3 Wayne and the Board of Commissioners of Allen County
4 and American Communities Partnership, Ltd. for
5 extension of professional services for the completion
6 of the Community Comprehensive Plan.

7 PETERS: I guess I could probably take that one.
8 This is a letter of agreement with the consultants
9 that the City and the County have been using for
10 purposes of bringing this joint comprehensive plan
11 home. We've had to extend it past last June 30th
12 termination date to this June 30th with a notion of
13 getting this thing done and being able to present
14 something to the public late this summer. No
15 increases or no additional costs are going to be
16 incurred as a result of this extension.

17 IRVING: Is--are you making any motion?

18 PETERS: And so with that, I will make a motion to
19 approve this letter of agreement.

20 BLOOM: Second.

21 IRVING: Anymore discussion? Hearing none, all in
22 favor, say, "Aye."

23 BLOOM: Aye.

24 PETERS: Aye.

25 IRVING: Aye. Motion carried. Appointment of a

0048

1 Common Wage Scale Committee for 2006 Traffic Striping
2 Project for Allen County Roads.

3 ELSER: The names before you today are Ben Johnson,

4 representative of industry appointed by the owner; F.
5 Nelson Peters, a taxpayer appointed by the
6 legislative body of the County; and Brian Dumford, a
7 taxpayer appointed by the owner.

8 BLOOM: So moved.

9 PETERS: I'll second it.

10 IRVING: All in favor, say, "Aye."

11 BLOOM: Aye.

12 PETERS: Aye.

13 IRVING: Aye. Motion carried. You know, Nelson, if
14 you ever quit paying your taxes, you can get out of
15 that committee. Just kidding. Terms of Use
16 Agreement for Subscription Access to the i--I can't
17 help it. Every time he says "taxpayer," you know,
18 it's like, "Hello." Okay--Terms of Use Agreement for
19 Subscription Access to the iMap Website, AquaIndiana,
20 Incorporated.

21 ELSER: This was just an additional contract from
22 last week that--

23 PETERS: To what we approved last week?

24 BLOOM: So moved.

25 ELSER: Yes.

0049

1 PETERS: I'll second it.

2 IRVING: All in favor, say, "Aye."

3 BLOOM: Aye.

4 PETERS: Aye.

5 IRVING: Aye. Motion carried. Approve County/State
6 Agreement between Allen County and Indiana Department
7 of Transportation covering preliminary engineering
8 for the Reconstruction of Flutter Road, from St. Joe
9 Road to Schwartz Road, Project STP-9902(066).

10 BLOOM: Good morning.

11 HARTMAN: Good morning. I'm Bill Hartman--

12 IRVING: Good morning.

13 HARTMAN: --with the Allen County Highway Department.

14 This is an agreement, of course, between Allen County
15 and the State of Indiana to proceed, you know, with
16 the above-mentioned project, approximately two miles
17 of reconstruction and a new bridge and realignment
18 and connection into the St. Joe and Maplecrest Road
19 intersections.

20 BLOOM: I'll make a motion that we approve the County

21 and the State agreement between Allen County and
22 INDOT for Reconstruction of Flutter from St. Joe to
23 Schwartz.

24 HARTMAN: And what this simply accomplishes is the
25 State agrees to pay 80% of the design fees on this
0050

1 contract--

2 BLOOM: Thank you for clarifying that--

3 HARTMAN: --and we pay 20%.

4 BLOOM: --to our audience.

5 PETERS: I'll second it.

6 IRVING: It's been first and seconded. All in favor,
7 say, "Aye."

8 BLOOM: Aye.

9 PETERS: Aye.

10 IRVING: Aye. Motion carried. Approve
11 County/Consultant Agreement between Allen County and
12 A&Z Engineering LLC covering preliminary engineering
13 services for Reconstruction of Flutter Road from St.
14 Joe Road to Schwartz Road. The total agreement is
15 \$529,300.00. The County share is 20% which is
16 \$105,860.00. And the State share--I always love that
17 when they're--when they have the large amount--
18 \$423,440.00.

19 BLOOM: Oh, yeah. And I'll make a motion to accept
20 Project #STP-9902(066).

21 PETERS: I'll second it.

22 IRVING: All in favor, say, "Aye."

23 BLOOM: Aye.

24 PETERS: Aye.

25 IRVING: Aye. Motion carried. For Item Number 16, I
0051

1 recluse myself from this. And I would like to turn
2 over Item 16 to the Vice President.

3 BLOOM: Approve Warranty Deeds required for right of
4 way acquisition on Coldwater Road, Phase II, from
5 Parcels 12, 13, 14, 17, 50, 57/58, and Parcel 62
6 [63].

7 HARTMAN: This is the reconstruction, of course, of
8 Coldwater Road from approximately Pion Road to Gump
9 Road. And these--

10 BLOOM: And 63.

11 HARTMAN: --these are the last--

12 BLOOM: Okay.
13 HARTMAN: --of the right of way documents required
14 and we've set a bid date for February 28th, and
15 hopefully we can coordinate this project with the
16 opening of a new school on--at the intersection of
17 Gump and Coldwater.
18 BLOOM: It's not Parcel 62. It's Parcel 63.
19 HARTMAN: Okay.
20 PETERS: I make a motion to approve--
21 BLOOM: No, my mistake.
22 PETERS: --Warranty Deeds for Parcels 12, 13, 14, 17,
23 50, 57/58, and 63.
24 BLOOM: Second. All in favor, say, "Aye."
25 BLOOM: Aye.

0052

1 PETERS: Aye.
2 IRVING: Okay, Item number 17, approve Warranty Deed
3 required for right of way acquisition on Maysville
4 Road Bridge Number 06, from the following property
5 owner: Parcel 2, the Taylor Chapel United Methodist
6 Church, Inc.
7 HARTMAN: This is a bridge that's in between our
8 Maysville/Stellhorn intersection project, and then
9 also Maysville and--and I-69. It's the last phase to
10 widen that area and help traffic quite a lot. This
11 bridge will be three lanes wide. There will be an
12 eight-foot pathway on the north side to help--
13 BLOOM: Great.
14 HARTMAN: --you know, with--with that. And we have
15 a--
16 BLOOM: Paths.
17 HARTMAN: --tentative March 14th bid date for this
18 project.
19 BLOOM: So moved.
20 PETERS: I'll second it.
21 IRVING: All in favor, say, "Aye."
22 BLOOM: Aye.
23 PETERS: Aye.
24 IRVING: Aye. Motion carried. Did you want to say
25 something about the paths or anything, Commissioner.

0053

1 BLOOM: Well, the trails that we're doing with our
2 new--our road and bridge projects, some of them even

3 with cooperation from the City, just to enforce that
4 we're moving forward with all our trail projects.
5 And the particular groups that are involved in
6 putting contributions from the private sector in
7 these are quite delighted that the County is being so
8 aggressive and the City with the trail projects too.

9 So--

10 IRVING: Number 18--very good.

11 BLOOM: Thank you.

12 IRVING: Approve Warranty Deed required for right of
13 way dedication for Ridgecrest Crossing, Project
14 #B09-05 from the following property owner: Limited
15 Access, LLC.

16 HARTMAN: This is--this is dedication of right of way
17 for construction of a new street about 1,000 feet--
18 well, 1500 feet south--south of State Road 14 and
19 then to the west.

20 BLOOM: So moved.

21 PETERS: I'll second it.

22 IRVING: All in favor, say, "Aye."

23 BLOOM: Aye.

24 PETERS: Aye.

25 IRVING: Aye. Motion carried. Approve Warranty Deed
0054

1 required for right of way dedication for Monroeville
2 Senior Apartment on Whittern Road from the following
3 property owner: Jon K. Niemeyer.

4 BLOOM: So moved.

5 PETERS: I'll second it.

6 IRVING: All in favor, say, "Aye."

7 BLOOM: Aye.

8 PETERS: Aye.

9 IRVING: Aye. Motion carried. Approve Warranty Deed
10 required for right of way dedication at 16709 Aboite
11 Road required for construction of cul-de-sac at I-69
12 from the following property owners: Tim and Theresa
13 Krauhs.

14 HARTMAN: Yeah, this--

15 IRVING: K-A--let's read that into the record because
16 I'm not exactly sure.

17 HARTMAN: Okay.

18 IRVING: It's K-R-A-U-H-S.

19 HARTMAN: Krauhs.

20 IRVING: Kraughs? I think that would probably be a
21 good German name.
22 BLOOM: So mo--so moved.
23 PETERS: I'll second it.
24 IRVING: All in favor, say, "Aye."
25 BLOOM: Aye.

0055

1 PETERS: Aye.
2 IRVING: Aye. Motion carried. Approve traffic
3 posting changes at the following intersections
4 located in Pheasant Run and Mariner's Ridge
5 Additions. Do you want to read them in, Susan?
6 ELSER: Rockcliff Court at Green--these are all Post
7 STOPS. Rockcliff Court at Greenleaf Drive, Mariner's
8 Ridge Court at Mariner's Ridge Drive, Rivertree Drive
9 at Hemphill Drive, Rivertree Drive at Redfield Drive,
10 Ridgetree Drive at Redfield Drive, Ridgetree at
11 Pinetree Drive, Redfield Drive at Pinetree Drive,
12 Shoals Drive at Pinetree Drive, Bosuns Drive at
13 Shoals Drive, Chesa--Chesapeake Point at Bosuns
14 Drive, Sea Pines Way at Bosuns Drive, and Lighthouse
15 Court at Hemphill Drive.
16 PETERS: I'd make a motion to approve traffic change
17 postings at the list just read--of the list just
18 read.
19 BLOOM: Second.
20 IRVING: All in favor, say, "Aye."
21 BLOOM: Aye.
22 PETERS: Aye.
23 IRVING: Aye. Motion carried.
24 HARTMAN: Thank you very much.
25 IRVING: Are you done?

0056

1 HARTMAN: I think that's it.
2 BLOOM: Thank you, Bill.
3 PETERS: I make a motion to approve to waive the
4 second reading on any matter approved today and for
5 which it may be deemed necessary for the Legislative
6 Session for February 8th, 2006.
7 BLOOM: Second.
8 IRVING: All in favor, say, "Aye."
9 BLOOM: Aye.
10 PETERS: Aye.

11 IRVING: Aye. Motion carried. Susan, did we have
12 any other business to come before us?
13 ELSER: We have no other business.
14 IRVING: Okay. Comments from the Public? Do we have
15 any comments from the Public today? Well, hearing
16 none, have a wonderful week and we'll see you next
17 Wednesday.

18 (Adjourned at 10:57 a.m.)
19
20
21
22
23
24
25

0057

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 February 8, 2006 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 14th day of February, 2006.
18

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

My Commission Expires:
22 December 2, 2011