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

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BOARD OF COMMISSIONERS
OF THE COUNTY OF ALLEN

RE: LEGISLATIVE SESSION OF
July 5, 2006

DATE: July 5, 2006

TIME: 10:02 a.m.

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

REPORTER: Kimberlee M. Adams

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

7

G. William Fishering Allen County Counsel

8

Casey Cox Intern, Beers Mallers

9

Backs and Salin

10 Bill Hartman Allen County Highway
Department

11

Jeanne Nicolet Election Board

12

Kimberlee M. Adams Rolf Reporting, Inc.

13

Cindy Larson News Sentinel

14

Amanda Iacone Journal Gazette

15

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3 Presentations by:

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Jeanne Nicolet 7

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Bill Hartman 9

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Agenda:

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3 1. Approval of the Minutes of 6-28-06 7

4 2. Amendment to the Allen County Code:
Title 11 (Election Board) Article 2

5 (Order Establishing Precincts) 7

6 3. Continuation of an agreement between
7 Maximus, Inc. and the County of Allen for
8 central services cost allocation plan,
9 which identifies the various costs
10 incurred by the County to support and
11 administer Federal and State programs 8

12 4. Approve and accept the following streets
13 located in these subdivisions: 8

14 a) Cedar Creek Section III: (Total
15 footage = 918')
16 1) Consta Verde Commons from the
17 centerline of Juniper Lane to
the east plat line, 615'.

18 2) Juniper Lane from the north
19 plat line to the south plat
20 line, 303'.

21 b) Bridgewater Section VII: (Total
22 footage = 2,884'):

23 1) Ridge Crest Crossing from the
24 east plat line to the
25 centerline of Calais Road,
426'.

2) Calais Road from the south

18 plat line to the northwest
plat line, 1,100'.

19 3) Pendleton Mills Court from
the east curb of the

20 cul-de-sac to the west curb
of the cul-de-sac, 1,358'.

21 c) Perry Lake Estates Section V:
(Total footage = 2,799'):

22 1) Ely Ridge Pass from the west
plat line to the centerline

23 of Vanderbilt Drive/Spenser
Cove, 187'.

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2) Vanderbilt Drive from the

3 centerline of Ely Ridge Pass
to the east curb of the

4 cul-de-sac, 1,454'.

5 3) Spenser Cove from the
centerline of Ely Ridge Pass

to the east curb of the

6 cul-de-sac, 792'.

7 4) Bristol Trail from the

centerline of Vanderbilt

8 Drive to the north plat line,

184'.

9 5) Linville Pass from the east

plat line to the centerline

of Vanderbilt Drive, 182'.

10 d) Shadow Ridge Sections I & II:

(Total footage = 2,638'):

11 1) Shallowbrook Drive from the
centerline of Covington Road

12 to the south plat line, 707'.

13 2) Brittwood Court from the east

curb of the cul-de-sac

(Section I) to the west curb

14 of the cul-de-sac (Section

15 II), 969'.

3) Bristlecone Court from the

west curb of the cul-de-sac
16 (Section II) to the east curb
of the cul-de-sac (Section
17 I), 962'.

18 5. Approve and accept Warranty Deed required
for additional right of way acquisition
19 on the Scipio Road Bridge over Hamm
Ditch, Project #00-022 from: 16

20 a) Parcels 1, 2, 3 - Thomas L.
Kneubuhler and Lu Ann S. Kneubuhler
21 and Daniel J. Kneubuhler.

22 6. Approve and accept QuitClaim Deed and
Warranty Deed required for additional
23 right of way acquisition on the Amber
Road, from U.S.#24 to Liberty Mills Road,
24 Project #01-339 from: 16

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2 a) Parcel 5SA - The Glens of
Bittersweet Community Association,
3 Inc.

b) Parcel 6 - The Glens of Bittersweet
4 Community Association, Inc.

5 7. Plats for Signature 17

6 8. Other Business 17

7 9. Approval to waive the 2nd Reading on any
matter approved today and for which it
8 may be deemed necessary for the
Legislative Session of July 5, 2006 17

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10. Comments from the Public 17

11. Motion to Adjourn

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1 IRVING: Good morning, and welcome to the July 5th,
2 2006 Commissioner Legislative Session. Before we get
3 started, we'd like to say the Pledge and a moment of
4 silence.

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

8 IRVING: Thank you very much. First we'll start out
9 with the Approval of the Minutes of the June 28th
10 session.

11 PETERS: I make a motion to approve the Minutes of
12 June 28, 2006.

13 BLOOM: Second.

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

15 BLOOM: Aye.

16 PETERS: Aye.

17 IRVING: Aye. Motion carried. Amendment to the
18 Allen County Code: Title 11 (Election Board) Article
19 2 (Order Establishing Precincts). Good morning.

20 BLOOM: Good morning.

21 NICOLET: Good morning. Jeanne Nicolet from the
22 Allen County Election Board. I have before you nine
23 precinct changes strictly due to annexation. The
24 final results will be we will have one less precinct.

25 BLOOM: Okay. I'll make a motion that we amend the

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1 Allen County Code, Title 11, Article 2.

2 PETERS: I'll second it.

3 IRVING: It's been moved and seconded. All in favor,
4 say, "Aye."

5 BLOOM: Aye.

6 PETERS: Aye.

7 IRVING: Aye. Motion carried.

8 NICOLET: Thank you.

9 BLOOM: Thank you.

10 IRVING: Continuation of an agreement between

11 Maximus, Incorporated and the County of Allen for
12 central services cost allocation plan, which
13 identifies the various costs incurred by the County
14 to support and administer Federal and State programs.
15 We've been asked to withdraw this, so could I have a
16 motion to withdraw?

17 BLOOM: I'll make a motion that we withdraw the
18 agreement between Maximus and Allen County.

19 PETERS: I'll second it.

20 IRVING: It's been moved and seconded. All in favor,
21 say, "Aye."

22 BLOOM: Aye.

23 PETERS: Aye.

24 IRVING: Aye. Motion carried. Approve and accept
25 the following streets located in these subdivisions.

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1 Susan, do you want to read them into record?

2 BLOOM: Good morning, Bill.

3 HARTMAN: Good morning.

4 IRVING: Good morning.

5 ELSER: Cedar Creek Section III: (Total footage, 918
6 feet). Consta Verde Commons from the centerline of
7 Juniper Lane to the east plat line, 615 feet.

8 Juniper Lane from the north plat line to the south
9 plat line, 303 feet. Bridgewater Section VII: (Total
10 footage, 2,884 feet). Ridge Crest Crossing from the
11 east plat line to the centerline of Calais Road, 426
12 feet. Calais Road from the south plat line to the
13 northwest plat line, 1,100 feet. Pendleton Mills
14 Court from the east curb of the cul-de-sac to the
15 west curb of the cul-de-sac, 1,358 feet. Perry Lake
16 Estates, Section V: (Total footage, 2,799 feet). Ely
17 Ridge Pass from the west plat line to the centerline
18 of Vanderbilt Drive/Spenser Cove, 187'. Vanderbilt
19 Drive from the centerline of Ely Ridge Pass to the
20 east curb of the cul-de-sac, 1,454'. Spenser Cove
21 from the centerline of Ely Ridge Pass to the east
22 curb of the cul-de-sac, 792'. Bristol Trail from the
23 centerline of Vanderbilt Drive to the north plat
24 line, 184'. Linville Pass from the east plat line to
25 the centerline of Vanderbilt Drive, 182'. Shadow

0010

1 Ridge Sections I & II: (Total footage = 2,638').

2 Shallowbrook Drive from the centerline of Covington
3 Road to the south plat line, 707'. Brittwood Court
4 from the east curb of the cul-de-sac (Section I) to
5 the west curb of the cul-de-sac (Section II), 969'.

6 Bristlecone Court from the west curb of the
7 cul-de-sac (Section II) to the east curb of the
8 cul-de-sac (Section I), 962'.

9 PETERS: I missed that. Would you mind repeating?

10 ELSER: I would be delighted.

11 BLOOM: I make a motion that we approve and accept
12 the following streets located in these subdivisions.

13 And for everyone out there who needs to know what
14 this means, could you give us a brief--

15 HARTMAN: Well, we submit a mileage report to the
16 State every year, and that--that's the basis of our
17 RLNS and MBH allocation. So, every mile we can take
18 in, that--that helps us--that gives us maintenance
19 money based on gasoline taxes.

20 PETERS: Mr. Hartman, what does that represent as a
21 matter of the roads that we lost as a result of
22 annexation? I mean, how does that--we lost "X"
23 number of miles--

24 HARTMAN: Well, this--this is about a mile and a
25 half--a little over a mile and a half here--

0011

1 PETERS: That's it?

2 HARTMAN: --and we--of course, we lost, what, 200 and
3 some miles. So, you know, it--it will be a little
4 while--

5 PETERS: To catch up?

6 HARTMAN: Right.

7 PETERS: Right.

8 HARTMAN: Of course--

9 PETERS: I gotcha.

10 HARTMAN: --you know, there's a proportion there.
11 Those other 200 miles are still on the books, so it
12 depends on, you know, gas tax revenues as to who gets
13 what division of that each year. So, it's a little
14 uncertain. There's no real specific formula as to
15 how you would recover, you know, totally back to
16 where you were before.

17 PETERS: Uh-huh (affirmative). Right.

18 BLOOM: I never have understood, every time someone

19 says how many miles we lost with the annexation, it's
20 different. But I think they were talking about miles
21 also that we didn't maintain because the miles we
22 lost, a lot of State road mileage--what else?
23 HARTMAN: Well--
24 BLOOM: Subdivisions we really didn't--we maintained
25 them--

0012

1 HARTMAN: We didn't really--
2 BLOOM: --them as--
3 HARTMAN: --we didn't really plow snow in
4 subdivisions--
5 BLOOM: Right.
6 HARTMAN: --and that kind of thing, you know. As far
7 as, you know, snow plowing, there's only about 12
8 miles that are mainline road that--that, you know, we
9 worked on in the winter primarily. But--but we did
10 maintain all of those streets.
11 BLOOM: Right.
12 HARTMAN: I mean, you know, we did concrete patching
13 and--and some asphalt repairs and resurfacing and
14 that kind of thing. I mean--
15 IRVING: What was the 30 miles that was--
16 BLOOM: Yeah, I--that's what I was thinking, 30.
17 HARTMAN: I don't--
18 IRVING: What was the 30?
19 HARTMAN: --I don't know what that would be. Yeah.
20 BLOOM: We did hear 30, but--
21 IRVING: Uh-huh (affirmative).
22 HARTMAN: Yeah.
23 BLOOM: --that's what I was--
24 HARTMAN: Yeah.
25 BLOOM: --trying to remember too.

0013

1 HARTMAN: I--I just know, as far as snow plowing, you
2 know, it was--it was only about 12--12 miles.
3 BLOOM: Okay.
4 HARTMAN: Thereabouts.
5 PETERS: Now when you mentioned the 200 plus miles a
6 moment ago, is that with regard to all annexations?
7 HARTMAN: That was just Aboite Township--
8 PETERS: That was--
9 HARTMAN: --the way I understand it.

10 PETERS: --just Aboite?
11 HARTMAN: Yeah.
12 BLOOM: Yeah. That was--
13 PETERS: Okay.
14 HARTMAN: Yeah.
15 PETERS: And so those were 200 plus miles for which
16 we were receiving--
17 HARTMAN: MBH and--
18 PETERS: --revenue.
19 HARTMAN: --RLNS money, right.
20 BLOOM: Yeah.
21 HARTMAN: Yes, sir.
22 PETERS: Okay.
23 HARTMAN: Yeah.
24 BLOOM: Yeah.
25 HARTMAN: And so that--those funds will go to--in
0014

1 '08--well--well, about half of '07, we'll still get
2 some of that money, but then in '08, why, it will go
3 down considerably.
4 PETERS: Now how quickly will the--the funds for this
5 big mile and a half we just approved start hitting
6 the books?
7 HARTMAN: I--I'm not certain. I'm not certain how
8 soon that--I don't know if that will be next year.
9 We--we turn these in, you know, annually, so it may
10 be another year yet before we actually reap the
11 benefit of that.
12 PETERS: Okay.
13 IRVING: I thought the--
14 BLOOM: So our goal--
15 IRVING: --I thought the 30 miles was actual roads
16 that we maintained?
17 BLOOM: So did I.
18 HARTMAN: Yeah. Well--
19 BLOOM: Well, I did too.
20 HARTMAN: --we--we--
21 BLOOM: I did too, Marla.
22 HARTMAN: --ma--we maintained everything in that
23 mileage.
24 IRVING: Will you check into that because--
25 HARTMAN: Sure. Yeah. No, I'm certain we
0015

1 maintained--

2 IRVING: Mike--Mike Fitch--

3 HARTMAN: --beca--all of those miles.

4 IRVING: --something, and that was the reason--

5 BLOOM: It was 30.

6 IRVING: --that we didn't really need to cut back in

7 the Highway Department, and there were a lot of

8 reasonings on equipment, and a lot of our decisions

9 that were based--

10 HARTMAN: Uh-huh (affirmative).

11 IRVING: --were--were based on--

12 HARTMAN: Yeah.

13 BLOOM: Only at 30 miles.

14 HARTMAN: Right.

15 IRVING: --on that figure. Yeah.

16 HARTMAN: Right. Yeah.

17 BLOOM: Right. I remember that too.

18 IRVING: Anyway.

19 BLOOM: I made a motion.

20 PETERS: I will second the motion.

21 IRVING: It's been moved and seconded. Is there

22 anymore discussion? Hearing none, all in favor, say,

23 "Aye."

24 BLOOM: Aye.

25 PETERS: Aye.

0016

1 IRVING: Aye. Motion carried. Approve and accept

2 Warranty Deed required for additional right of way

3 acquisition on the Scipio Road Bridge over Hamm

4 Ditch, Project #00-022, Parcels 1, 2, 3 from Thomas,

5 Lu Ann, and Daniel J. Kneubuhler.

6 BLOOM: I'll make a motion we accept the Warranty

7 Deed.

8 IRVING: Is that how you'd pronounce it?

9 ELSER: That's how I would say it.

10 IRVING: Well, that's what Nelson said too, so I--if

11 I've screwed your name up and you're watching us, I

12 apologize. It's K-N-E-U-B-U-H-L-E-R. Okay.

13 PETERS: I'll second it.

14 IRVING: It's been moved and seconded. All in favor,

15 say, "Aye."

16 BLOOM: Aye.

17 PETERS: Aye.

18 IRVING: Aye. Motion carried. Approve and accept
19 QuitClaim Deed and Warranty Deed required for
20 additional right of way acquisition on the Amber
21 Road, from U.S.#24 to Liberty Mills Road, Project
22 #01-339 from: Parcel 5SA, The Glens of Bittersweet
23 Community Association, Inc., and Parcel 6, The Glens
24 of Bittersweet Community Association, Inc.
25 BLOOM: So moved.

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1 PETERS: I'll second it.
2 IRVING: All in favor, say, "Aye."
3 BLOOM: Aye.
4 PETERS: Aye.
5 IRVING: Aye. Motion carried. Are there any plats
6 for signatures today?
7 ELSER: There are none.
8 IRVING: Do we have any other business to come before
9 us?
10 ELSER: I have no other business.
11 BLOOM: Thank you, Bill.
12 HARTMAN: Thank you.
13 IRVING: Thank you, Bill. I'll accept a motion to
14 waive the 2nd reading.
15 PETERS: I make a motion to approve to waive the 2nd
16 Reading.
17 BLOOM: Second.
18 IRVING: It's been moved and seconded. All in favor,
19 say, "Aye."
20 BLOOM: Aye.
21 PETERS: Aye.
22 IRVING: Aye. Motion carried. Is there any comments
23 from the public? Hearing none, I'll take a motion
24 for adjournment.
25 PETERS: So moved.

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1 BLOOM: Seconded.
2 IRVING: All in favor, say, "Aye."
3 BLOOM: Aye.
4 PETERS: Aye.
5 IRVING: Aye. Please have a wonderful, wonderful
6 week, and we'll see you next Wednesday.
7 (Adjourned at 10:11 a.m.)
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1 1 STATE OF INDIANA)
) SS:

2 2 COUNTY OF ALLEN)
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4 4 REPORTER'S CERTIFICATE

5 5 I, Kimberlee M. Adams, a Notary Public in and
6 6 for the State of Indiana, County of Allen, do hereby
7 7 certify that the above and foregoing is a true and
8 8 accurate transcript of the Board of Commissioners of
9 9 the County of Allen, Legislative Session, held before
10 10 me on July 5, 2006 in the Allen County Commissioner's
11 11 Courtroom, Room 200, City-County Building, 1 East
12 12 Main Street, Fort Wayne, Allen County, Indiana; that
13 13 I am not related to, employed by or interested in any
14 14 of the parties to this cause of action.

15 15 IN WITNESS WHEREOF, I have hereto affixed my
16 16 hand and seal this 6th day of July, 2006.

17 17
18 18 _____

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

19 19
20 20 My Commission Expires:
21 21 December 2, 2011

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