



BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEN
City-County Building Room 200 · 1 East Main Street · Fort Wayne, IN 46802
Phone: 260.449.7555 TDD: 260.449.7881 FAX: 260.449.7568

LINDA K. BLOOM BILL BROWN NELSON PETERS

AGENDA

Commissioners' Legislative Session
9:30 a.m. Friday, January 15th, 2010
Commissioners' Courtroom - City-County Building

1. Board of Finance Annual Meeting.
2. Approval of the minutes of January 8th, 2010.
3. Appointments to boards and commissions.
4. Amendment No. 7 to the Board of Commissioners of the County of Allen Retiree Benefit Plan.
5. Interagency agreement between the Board of Commissioners and Allen County Solid Waste District.
6. Discussion of Economic Development District Proposal for Allen County.
7. Amendment to Allen County Code Title 4 (Subdivision Control Ordinance) – Article 1(Application of Ordinance; Construction and Definitions) commonly known as the Minor Plat Ordinance.
8. Agreement between the Board of Commissioners and Norfolk Southern Railway Company for flagging services as required for the ARRA resurface project on North River Rd, Des # 0901995. Total estimated cost to Allen County for this service is \$400.00.
9. Project Coordination Contract between the Board of Commissioners and Indiana Department of Transportation (INDOT) for the Bostick Rd Bridge # 268 over the St. Mary's River, Des No. 0901914, Project # 0307209.
10. Consider approval of the following signs to be installed in Allen County, requested by Mike Eckert and the Associations:
 - a. Worthington Dr - Auburn Rd to Bristol Trail – Perry lake Subdivision – post 30 mph Speed Limit
 - b. Perry Lake Dr – Coldwater Rd to Cul-de-sac – Perry Lake Subdivision – post 30 mph Speed Limit
 - c. Willow Creek Dr – SR 1 to Tree Top Trail – Cedar Glens Subdivision – post 30 mph Speed Limit
 - d. Hamilton Bay Court at Hamilton Forest Cove – Villas of Chestnut Cove – post Stop
 - e. Woodland Pass at Abbington Trail – Sycamore Lakes – post Stop
 - f. Chadwick Court at Almdale Drive/Chadwick Lane – Sycamore Lakes – Post Stop
 - g. Henlock Drive at Chadwick Lane – Sycamore Lakes – post Stop
 - h. Jackemeyer Lane at Seiler Rd – Greenwood Lakes – post Stop
 - i. Windsail Cove at Heathermoor Lane – Greenwood Lakes – post Stop
 - j. Runabay Cove at Heathermoor Lane – Greenwood Lakes – post Stop
 - k. Jackemeyer Lane at Greenwood Lakes Dr – Greenwood Lakes – post Stop
 - l. Chesterhills Court at Jackemeyer Lane – Greenwood Lakes – post Stop
 - m. Tuscon Trail at Ruffner Rd – Veracruz – post Stop
 - n. Buckner's Boulevard at Flaugh Rd – Buckner's Crossing – post Stop

- o. Buckner's Boulevard at Buckner's Pass – Buckner's Crossing – post Stop
 - p. Weslow Court at Buckner's Lane – Buckner's Crossing – post Stop
 - q. Foxfire Lane at Buckner's Pass/Buckner's Crossing – Buckner's Crossing – post Stop
 - r. Arden Cove at Crimson Leaf Drive – Villas of Grey Oaks – post Stop
 - s. Woodwind Drive at Emanuel Rd – post Stop
 - t. Eagle River Run and Cliffside Pass in Eagle River Subdivision – post Stop
11. Applications for a Primary Development Plan and Rezoning for the proposed IPFW Alumni Center located on Commissioner-owned property.
 12. Contract for Professional Economic Development Services by and between the Board of Commissioners and the Northeast Indiana Regional Partnership.
 13. Contract for Professional Economic Development Services by and between the Board of Commissioners and the Fort Wayne – Allen County Economic Development Alliance.
 14. Other Business:
 15. Approval to waive the 2nd Reading on any matter approved today and for which it may be deemed necessary for the Legislative Session of January 15th, 2010.
 16. Comments from the Public.
 17. Motion to Adjourn.
 18. Allen County Community Development Corporation Annual Meeting

Allen County does not discriminate because of disability in the admission to, or treatment or employment in, its programs or activities. The Human Resources Director has been designated to coordinate compliance with nondiscrimination requirements contained in Section 35.107 of the Department of Justice regulations. Information concerning the provisions of the Americans with Disabilities Act, and the rights provided therein, and Allen County's ADA policy is available from the ADA Coordinator. Suggestions on how the County can better meet the needs of persons with disabilities may be submitted to the ADA coordinator at: Human Resources Department, 1 East Main Street, Room 300, Fort Wayne, IN 46802, or by phone at (260) 449-7217.



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MINUTES

Commissioners' Legislative Session
9:30 a.m. Friday, January 8, 2010
Commissioners' Courtroom - City-County Building

Commissioners Present: Bill Brown, Nelson Peters and Linda Bloom

Others Present:

Chris Cloud	Executive Assistant
Rhonda Rice	Commissioners' Office
Mike Green	Commissioners' Office
Bill Fishing	County Attorney
Bill Hartman	Highway Department
Cathy Serrano	Risk Management
Dan Freck	Building Department
Sheila Hudson	Director, Community Corrections
Tim Richards	
Paul Morrison	Kid's Law
Ken Neumeister	Freedom Consulting
Bruce Braden	Cripe Architects
Amanda Iacone	Journal Gazette

Commissioner Brown called the meeting to order at 9:33AM. Commissioner Brown led the meeting with the Pledge of Allegiance and a moment of silence.

- 1. Approval of the minutes of December 18th, 2009.** Commissioner Peters moved to approve the minutes of December 18th, 2009. Commissioner Bloom seconded the motion. Motion carried 3-0.
- 2. Reorganization of the Board of Commissioners.** Commissioner Peters made a motion to make Commissioner Bloom President, Commissioner Brown Vice President and himself Secretary. Commissioner Bloom seconded the motion. Motion carried 3-0.
- 3. Appointment of Commissioners' Department Heads.** Chris Cloud, Executive Assistant, read the names of the Department Heads being reappointed – Robert Bolenbaugh-Purchasing Director, William Hartman- Highway Director, David Fuller-Building Commissioner, Daniel Freck-Supt. of Buildings & Grounds, Brian Dumford-Human Resources, Michael Green-Public Information Officer, Beth Garber Lock- Legislative Liaison, Anthony Burrus, Safety & Environmental Affairs Director, Christopher Dunn-Director of Youth Services Center, Edwin Steenman, Director of Information Technology, G. William Fishing, III-County Attorney, John O. Feighner, Chief Deputy County Attorney, Carrie Hawk Gutman and Thomas A. Hardin, Assistant County Attorneys and Cathy Serrano, Drainage Board Attorney and Township Assistance Hearing Officer. Commissioner Brown made a motion to approve the at-will positions of department heads. Commissioner Peters seconded the motion. Motion carried 3-0.
- 4. Appointments to boards and commissions.** Chris Cloud, Executive Assistant read the designated names of the following appointments to the boards and commissions.

<u>Name</u>	<u>Board</u>
Mark Joseph	Alcohol Beverage Commission
Dan Gagen	Building Department Board
Christi Thomas	Child Care Facilities Department Board
Garnett Mills	Child Care Facilities Department Board

Lt. Guy Griffith	Child Care Facilities Department Board
Amy Hesting	Child Care Facilities Department Board
Elisha Harris	Community Corrections Advisory Board
David Bailey	Plan Commission
Gene G. Hoemig	Public Library Board
Richard Beck, Jr.	Redevelopment Commission
Steven Bercot	Redevelopment Commission
Kurt Gutman	Redevelopment Commission
Win Rood	Regional Water and Sewer District
Molly McCray	Arts United Board
Don Ramm	New Haven Plan Commission
William Hartman	NIRCC
J. Phillip Burt	NIRCC
Mayor Terry McDonald	NIRCC
John Thistlewaite	Property Tax Asmnt Board of Appeals
Todd Jordan	Property Tax Asmnt Board of Appeals
Phil GiaQuinta	War Memorial Coliseum Board of Trustees
Mark A. Pope	War Memorial Coliseum Board of Trustees
Larry Owen	Southwest Allen County First District Board
Richard Beck, Jr.	Economic Development Commission

Commissioner Peters made a motion to approve all of the above appointments to the Allen County Board of Zoning Appeals. Commissioner Brown seconded the motion. Motion carried 3-0.

Commissioner Brown stated that we have put on the website all of our boards and the duties of the board members and the roster of current board members. The reason for this is to open up and broaden the representation of people serving on these volunteer boards. He stated that we have a lot of talent on our boards but that we do need to cast a very broad net to get as many people connected to the work of the Board of Commissioners and to other various entities within county government. He stated we want folks to continue to apply and provide their information. There will be new appointments again next year and perhaps resignations or issues where we will need board appointments during the year.

Commissioner Brown also wanted further discussion regarding boards. He handed out a diagram which he said was an excellent tool generated by the Alliance which highlighted all the various entities that are working for economic development. He mentioned that a new one coming on line is the Capital Improvement Board (CIB). Previously the Grand Wayne Board managed the Grand Wayne. He stated which of the entities have local public funding and what percentage that is. Of those boards that are involved with economic development, the Regional Partnership has a seat at the table for an elected official, the Innovation Center has a seat at the table for an elected official, the Alliance has a seat at the table for an elected official and so does NIRCC. Those entities have the bulk of local funding. The CIB, which was the Grand Wayne Board, will be as he knows 100% funded by the food and beverage tax. The food and beverage tax used to go exclusively to the Memorial Coliseum. The Coliseum was built, and the concept derived by the Board of Commissioners and it's been a successful enterprise for over 60 years. The food and beverage tax which was going specifically to the Coliseum has now been moved by the state legislature, which is supported by the Board of Commissioners, to the Capital Improvement Board. The CIB will consist of 7 locally appointed people. Three appointed by the Mayor, three appointed by the Commissioners and the 7th will be appointed by those 6. Commissioner Brown stated that it is critical and important that there be a representative from the fiscal body, especially the fiscal body. He would love to see elected officials on that board but that has not carried the day. He has had several conversations with other elected people. The public that he has talked to all think it's a good idea. Other people, elected people, many don't like the idea. But members of the County Council he has spoke to like the idea. The food and beverage tax will fund the CIB, roughly \$80 million over the next 20 years. That's probably going to be by far the largest pot of discretionary money for economic development of any entity. Commissioner Brown stated that he is going to advocate and he has brought forth names of County Council representatives and he'd love to have a Commissioner appointed, although he doesn't think that is going to happen, because he just feels that it is important to have an elected official on that board. He stated we have some really talented folks serving on that board now and we have some talented folks that

we are talking to. He stated he wanted to get that out on the table that he advocates for elected representation on the Capital Improvement Board. He then asked for the other Commissioners opinion on that.

Commissioner Bloom stated that she doesn't think that the board was set up specifically for deleting elected officials. She does think that there are a couple of representatives on there that do represent the financial part of our community. She stated that we have several boards that are capable of bonding and other responsibilities without elected officials; that being the airport and the library and if that is the choice of elected officials in the community to have elected officials on these boards than we should look at this. Right now there are no prerequisites to do this.

Commissioner Brown agreed and then said his position is that we need to have at least a member of County Council on it. He stated that there is going to be an appointment available at the end of 2010 that could be utilized for private sector individuals. The other thing about the Coliseum and the food and beverage tax is that every capital improvement there has been, at the end of the day, voted on by the Board of Commissioners. So you have raising the roof, building the place, expanding the Expo Center, remodeling the Expo Center, building Memorial Stadium, tearing down Memorial Stadium and adding a fourth Expo. Those capital improvement decisions will all be made by the Board of Commissioners at the end of the day. The Board of Trustees and County Council also have to approve that. We've taken the food and beverage money and moved it into the CIB, which we support. We have really good people serving on the CIB and we have really good candidates. However, he stated that it is glaring to him that the Board of Commissioners would not appoint at least one member of the county fiscal body when it's going to be 100% funded by public and local money. He said he has illustrated that we have these other entities that the county has a very small amount of money that they fund and that there are actually seats reserved for Council members and the Board of Commissioners on those boards. He stated that there is a decision here that we have the opportunity to make, to connect our County Council and our fiscal body to these large expenditures that will be designed in the future. At the same time you have the County Council from the state legislature giving the county councils more and more fiscal authority over these budgets. He stated that in his opinion we are really disconnected by not supporting someone. Those appointments have not been made yet but he advocates having someone from the County Council and he would like to have someone from the Board of Commissioners appointed to that board.

Commissioner Peters stated that he knows we have boards like the Library Board and the Airport Authority that do have bonding and taxing capacity. As such he has always been a little bit chagrined by the fact that there wasn't any elected representation. This board, granted, is funded 100% by food and beverage tax that is, from what he understands, a fund that the Council really doesn't have any authority or oversight over. He stated that he is certainly not against having somebody from the County Council on a board like that, in fact, he thinks it makes sense. He would hope, whether it was a County Council person or whether it was a lay person in the community, that they would carry the charge of the Commissioners. Every bit as much as it being another elected official or a County Council person, there needs to be direction provided from the Board of Commissioners since it is our responsibility to appoint those positions. He would hope, whomever it might be, carries out that particular charge. Commissioner Peters said he had a conversation with Mr. Larry Brown earlier this week and that he would be delighted to see him serve in that capacity. The problem is, it seems to him, that we thought there were going to be two openings to the CIB. If there were two openings, in a heartbeat, he would ask that Mr. Brown be given the other one. The problem is, he believes, that there were commitments made before his awareness of Mr. Brown's desire to serve on the board or your (Commissioner Brown) desire to have him, in particular, serve on the board. Commissioner Peters stated that he thinks Larry Brown would be an extremely capable appointment but the problem that we run into as mentioned, is that he believes there was a commitment made to Mike Packnett before, at least before he became aware of his potential involvement in the matter.

Commissioner Brown stated that Mike Packnett is awesome and what they are doing with Parkview and him coming to our community is just out of this world. Commissioner Brown stated he would support Mike Packnett if we could get the balance of the elected officials on there. He stated he has not talked with Mike Packnett and doesn't know who made that commitment if there has been a commitment made and it doesn't sound like Commissioner Peters talked to him and it takes two to make the commitment.

He stated there has been an effort to move the food and beverage tax away from the Coliseum to the CIB. From the beginning he has said there is a seven member board – the mayor appoints two, the commissioners appoint two. If we had a Commissioner, a County Council person, a City Council person and the Mayor on that board, now we have this \$80 million that is represented by all of the people in Allen County they are all connected to this big project of Capital Improvement. Now if you have three, the best and brightest, CEO's and those kinds of folks from the community, you have the opportunity for those four electives to make the ultimate decision if it's a good idea or not. You also have the opportunity for those three people that are really strong in development in the community, CEO's whoever they might be, they can bring their good ideas and more than likely they'll convince one of those four if it's a good idea to take that and carry the day moving forward. He has spoke about this concept with this administration, the mayoral administration and several people and it doesn't get legs. But it gets legs with everybody he talks to in the public. He hasn't had one person say that it's a bad idea. Whether it's Councilman Brown or Councilman Moss, who has deep roots in the medical field with another large medical organization in Allen County, or whoever else on the County Council. We can't control what the Mayor does but if the Mayor was to sit or select someone from the City Council he thinks that would be the very best situation to be in. He is convinced that that is not going to happen but he wants to put it out there in the public realm because he thinks that is the absolute best model to use and he at least wanted to get that out publically. The CIB is in its beginning phases. There is hardly any money accruing into it at this point. There is some interest in maybe starting to segment and separate this capital improvement money, the food and beverage tax, to municipalities which generated that kind of thing, New Haven and some of the smaller towns. He stated that he knows we are not going to make this appointment this week and appreciates their input on this topic.

Commissioner Peters asked if there was a reason the appointment couldn't be made today.

Commissioner Brown stated that he hasn't had a chance to talk with Mike Packnett yet and he'd like to talk with Ben Eisbart also. These folks can't be removed for cause. They are high quality individuals and he can't imagine ever having that situation come up but they do need to have our general philosophy as to what we believe are important things as far as the capital improvement projects. These are gigantic appointments in his opinion. He stated that he did have a really good candidate for the Health Department – Patti Hayes with Lutheran Health Network.

- 5. General Liability, Property, and Vehicular insurance renewal.** Cathy Serrano, Allen County Risk Manager, presented a summary sheet of 2010 insurance quotes bid out by our agents at her request. There were a couple of agencies that were not considered because they did not want to cover the fleet at all and without that, the rest of the insurance was unpalatable and extremely expensive to do it that way. At the end of the day, it came down to Travelers and Selective insurance. In 2009 Travelers had provided our property coverage and Selective had covered the vehicle insurance and the inland marine type of coverage and things like that. Selective came back this year just completely too expensive primarily because of the vehicle losses that we have experienced over the last 8 years. Travelers came in and they did have a condition precedent which was a tour of the county. Cathy Serrano took them on a tour and they hit all the highlights – every building and probably every car. They waited for this tour to be done before providing this quote. Travelers came in as the lowest bid. Lower than Selective was last year and far lower than Selective was going to be this year. They were low on everything across the board with the exception of the automobile insurance and they are a little bit higher again reflecting the fact that the county has had some loss experience that is unpalatable. There are some things in process to get that under control in the coming year including an Accident Review Committee and a program that the Sheriff will be helping come up with for training new drivers with the County and perhaps going back and requiring existing drivers to take that course. The proposal that Cathy Serrano is recommending is to go with Travelers who will be doing property, general liability, the vehicle and the inland marine and the total price, including the agency fee, is \$663,960. That is paid on a quarterly basis over the course of the year.

Commissioner Brown stated that the commercial automobile premium is obviously considerably higher than 2009. He stated that he knows one thing we are looking at is trying to eliminate a few more county cars and he did float something up at one of the Wednesday morning meetings about looking at how we reduce accidents. He has seen some things done in the private sector, small things that make a

