

**ALLEN COUNTY COUNCIL
MEETING MINUTES
MARCH 26, 2008
8:30 AM**

The Allen County Council met on Thursday, March 26, 2008 at 8:30 am in the County Council/Commissioners Courtroom. The purpose of the meeting was for additional appropriations, transfer of funds in excess of the current budget, grants and any other business to come before Council.

Attending: Paul G. Moss, President; Roy A. Buskirk, Vice President; Paula S. Hughes, Maye L. Johnson, Darren E. Vogt, Calvert S. Miller and Paulette Kite.

Also Attending: Lisa Blosser, Auditor; Tera Klutz, Chief Deputy; Jackie Scheuman, Finance Director; Bill Brown, Commissioner; Nelson Peters, Commissioner; Linda Bloom, Commissioner and Becky Butler, Administrative Assistant.

The meeting was called to order at 8:30 a.m. by President Paul Moss with the Pledge of Allegiance.

Paul Moss: Again, I would like to welcome everyone to today's meeting. We do have a special guest in the audience. If it is okay with Council, I would like to dispense with approval of minutes and the financial report until after we allow our new Mayor to join us for a moment. Mayor, I would like to welcome you and coming to say a few words to us.

Tom Henry: Thank you, Mr. President. Thank you so much for giving me a few minutes. My primary purpose for coming before you today is two-fold. One is to welcome you to another year of government and the fiscal oversight of the County. It is a tough job. I don't think a lot of our citizens realize the tough job that it is. The little exposure that I had on City Council, I can only imagine what it is like countywide. Again, thank you for the job that you do. Secondly, I want to let you know that my administration is very open to working with you to the extent that you are comfortable. We want a cooperative, collaborative effort to exist on both sides. You represent the County, obviously, but the City of Fort Wayne is in the County. A lot of people seem to forget that. Sometimes, when I give talks to students, and it is not always just students, I will ask how many live in the City. So many hands go up. Then I will ask how many live in the County? A few hands go up but I tell them they all live in the County. A lot of people don't realize that and maybe feel that the County represents the rural part of the County. We need to eradicate that misconception. We are all in this together and to the extent that you feel comfortable, the ninth floor and my doors are open to you. In fact, all of the doors of City government are open to you. We want to work with you to make this the best City and County that we can. So, I offer that to you, an olive branch, if you will. I know there have been times of points of contention between various bodies of government but let's see what we can do to push that aside and move forward.

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Paul Moss: I thank you for that and obviously, one of the hallmarks of your administration, this far, is the openness and willingness to hear what people have to say. Are there any other comments from Council?

Tom Henry: I know there have been some questions and concerns and I certainly understand your hesitancy particularly in light of the possibility of income tax discussions. Again, a lot of misconceptions and miscommunications on who stands where relative to the Local Option Income Tax. We all know that it is a tool that the State Legislature has given the cities and counties as a way of increasing revenue. I felt it was my responsibility to remind City Council, as the local taxing body, that they have that tool available to them. Whether or not they wish to consider that for 2009 and definitely for 2010, that is their decision. I plan on sitting down with them to talk about the City budget in the next couple of years and I am sure that, if they are wise, they will sit down with you as well. We will have to see what affect HB 1001 is going to have on the County. We will get through this.

Paul Moss: Councilman Vogt?

Darren Vogt: I think, as comments have surfaced from your administration and the newspapers have reported those things, my conversations with constituents have been around that. If there is a shift from property tax to income tax, the plan to reduce the overall expenditures to the constituent isn't going to happen. There is going to be an increase in out-of-pocket expenses. Right now, I am disappointed that legislation didn't change to allow representation for those folks who don't live in the City but live in the County. Right now, it is taxation without representation. I am hoping that before too long legislatively, they can fix it for the four counties like Allen and the three others that are affected that way.

Tom Henry: I sincerely believe that this first year, under this piece of new legislation, will be a problem error year for this legislation. I believe that next year, our legislators will be reviewing this bill again. I agree that there are definitely some areas that need to be addressed. I think they wanted to pass something in order to show some effort on their part as far as property tax relief or tax shifting. I don't mean that in a negative sense but shifting away from property tax to sales tax and to income tax as other sources of revenue. I do think they are going to have to tweak it.

Paul Moss: Councilman Buskirk?

Roy Buskirk: I am not sure that we know for sure what all of the impact will be. I know one of the eleventh hour things that was switched and after the math had been applied, but that has to do with the fire and the policeman or policewoman retirement. I think you have been budgeting around \$5 million and the State has taken that over. Although there is...

Tom Henry: A property tax reduction.

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Roy Buskirk: A property tax reduction on the City levy in which that could possibly have no impact on income to the City because the City levy will be reduced and that could be exceeding the one percent. That would not have any affect on your revenue.

Tom Henry: That is correct.

Roy Buskirk: There are a lot of different things that have not been done mathematically and I think next week we will find out more detail. I just wanted to express my concern as far as the Local Option Income Tax. With the sales tax going up 16 2/3 %, that is quite an impact. I do appreciate you coming here this morning and I am sure that there can be some additional savings between the County and the City working together. A lot of it is going on and is not necessarily made public. The IT Departments and the cooperation that has taken place there with servers and other items of that type. I think that all of the citizens of Allen County are saving money on that issue. I am just really concerned with the impact of the Local Option Income Tax. The first one-quarter of a percent is to be applied to property tax reduction which might not occur because it is the levy reduction and it might be above the one percent. The person will not actually see a savings on their property taxes.

Tom Henry: Councilman, I don't think there is any question that we need to continue the efforts that have been made so far in working together to reduce expenses. Some great steps have been taken so far, Land Use and Zoning. In meeting with several of you the other day, on purchasing, we can realize some significant savings not just for the City of Fort Wayne or the County of Allen and the contiguous counties as well. Many of us buy the same tangible goods and there is no reason that we can't work together. We need to continue these efforts and probably increase them to the extent that we can.

Paul Moss: Councilwoman Hughes?

Paula Hughes: To follow that point, that has been my thought. I hate it when governmental units are communicating through the press. Not that there is anything wrong with the press but I hate it when that is how we communicate. This is the time for us to, rather than look at how we can increase revenue, look at how we can meet the challenge through collaboration and making efficiencies through working together. There have been some logjams in that process in the past and we are very optimistic that we can get past that. I think that is the way to solve the problem because there is uncertainty around the legislation and because we know we have a road yet to travel in terms of what we can accomplish.

Tom Henry: There is no question about that. I do have to congratulate the Legislature on at least giving communities a tool. If and when we ever want to utilize that, it will be our decision. At least it is good to have a tool.

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Darren Vogt: I would like to take that one step further. I guess I go back to not leaving any stone unturned. I think that is the biggest thing that we have to look at. We have to make sure that anecdotal analization of merging departments isn't necessarily the right thing to do. We need to look and decide do we need two of where they do overlap? That may include the parks departments. I hate to throw that out there but it includes everything. When we are looking at delivering those services, we need to make sure that what we are delivering is the best way possible. If that means one for this community, then exist together.

Tom Henry: Councilman, I think you are absolutely right. Sometimes it is not necessarily cost savings that results but efficiency. Thank you so much for giving me a few moments. Welcome to a new year and my door is always open.

Paul Moss: Thank you. We are going to move back up to the approval of the minutes.

APPROVAL OF MINUTES:

Darren Vogt: Move approval of the minutes of February 21, 2008.

Roy Buskirk: Second.

Paul Moss: **We have a motion and a second. All in favor please signify by saying aye. All opposed same sign. The motion carries 7-0.**

FINANCIAL REPORT:

Lisa Blosser: The amount left for appropriation in the County General Fund is \$6,116,104. The Rainy Day Fund has a balance of \$13.9 million. Miscellaneous revenue collections are at 20.48% of projections at the end of February.

Paul Moss: Are there any questions for the Auditor?

Roy Buskirk: Make a motion to approve the financial report.

Maye Johnson: Second.

Paul Moss: **We have a motion and a second. All in favor please signify by saying aye. All opposed same sign. The motion carries 7-0.** Economic Development is next with consideration of an ordinance consenting to the issuance by the Town of Grabill of Economic Development Revenue Bonds. Please introduce yourself for the record.

Zach Klutz: I am Zach Klutz with Barrett McNagny. Raymond Gage, with the Grabill Economic Development Commission, is supposed to be here but he is not here yet. Do you want me to continue or would you like to wait?

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Paul Moss: That is probably your call. We are willing to move forward if you are comfortable with it.

Zach Klutz: Barrett McNagny is serving as bond counsel for the expansion and improvement of the Cedar Creek Retirement Home. It is a 501C3 entity located at 1440 Sunrise Court which is outside of the Town of Grabill. The project will consist of the construction of seven assisted-living units and eight personal healthcare units. It is proposed that the project will be financed through the issuance, by the Town of Grabill, of its Economic Development Revenue Bonds, in an amount not to exceed \$3.4 million. It is important to note that no property tax dollars will be pledged to secure the borrowers' obligation here. No property tax dollars by the Town of Grabill or by the County. We are here asking for your consideration and passage of a resolution, I know the agenda says ordinance but it is actually a resolution, whereby you will consent to this bond issue. We are asking for your consent because Indiana Code requires that when the Economic Development facility is located outside of the issuer, which is the Town of Grabill, the fiscal body of the unit where the facility is actually located has to first consent to moving forward. So we are here asking for your consent. We have obtained your consent on two prior occasions, once in 1998 when the Town of Grabill issued bonds for the same facility and again in 2002. There is some precedent here. If we obtain your consent, this will be the extent of your responsibility and obligation. We will then proceed on to the Town of Grabill for the bond issue. I believe a proposed resolution was provided for you. I will answer any questions that you may have.

Paul Moss: Councilman Buskirk?

Roy Buskirk: Is part of this bond for refinancing of the previous bonds?

Zach Klutz: That is correct. It is an amount of not to exceed \$3.4 million. The project is \$2.2 million and \$1.2 million is to refund the 2002 bond issue.

Roy Buskirk: Thank you.

Darren Vogt: Has the 1998 bond been repaid?

Zach Klutz: It has but part of that was a refinance in 2002.

Cal Miller: Could you share a little more about the project?

Zach Klutz: The facility is located on about seven acres. I am not sure of the number of units they have now but this is adding seven assisted-living units and eight personal health care units. They believe that the addition of these will require the hiring of new staff. That is the extent of this. It is an add-on.

Paul Moss: Council, are there any other questions?

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Darren Vogt: Move for approval of a resolution consenting to the issuance by the Town of Grabill for Economic Development Revenue Bonds, Series 2008.

Roy Buskirk: Second.

Paul Moss: We have a motion and a second. All in favor please signify by saying aye. All opposed same sign. The motion carries 7-0. Thank you. Moving along to Appropriations, Item One. I am not sure who is carrying this discussion.

Paula Hughes: It is a transfer to Superior Court.

Charles Pratt: Good morning, I am Charles Pratt, Judge in the Superior Court.

Jerry Noble: Jerry Noble, Court Executive, Allen Superior Court. We appeared before the Personnel Committee in the last meeting and presented the growing need in the Family Relations Division, the CHINS part of the Family Division. This is for additional staff help in that area. There are six employees, court reporters, and because of the growth in caseloads and changes in the requirements of the caseloads, all of this was presented to the Personnel Committee and is in the packets that you have, it has put us in the position that we had to come before Council. We are asking for additional help in there because of the requirements to crank out the court orders in a timely fashion and address the growing caseloads and so on. We met with out liaison, Darren Vogt, and explained all of this to him and asked Judge Pratt to come before you.

Charles Pratt: Harkening things back to a year ago, I mentioned that we were anticipating an increase in the CHINS caseloads. If you look at the attachments that came with our request, there are several increases in the caseloads over which I have administrative responsibility. The Juvenile CHINS has increased over last year by about 59%. Termination of parental rights, those have increased and are also one of my responsibilities. Domestic relations have increased to almost 40%. Adoptions are approximately the same with a modest increase. Each of those increases is within my realm of responsibility. Not only has the volume increased, which impacts the number of orders, notices and other written material, but also the timelines by which those must be accomplished have further compounded our problem. Quite bluntly, this need has been there for several years and I have been resistant to add on for good policy reasons in terms of being a good steward of the dollars that we have been allotted. We have gotten to the point where we have added pressures to the staff that are counterproductive to what we are trying to accomplish. We are burning people out by the number of hours that they have to put in and the pressures of trying to keep guidelines met. If you turn to one of the other exhibits, the compensatory time that we are providing is now getting fairly excessive. The other complication is that we are moving staff around and away from positions that they need to be at for the proper administration of our court processes, in order to get typing done. That is to say that I am using court reporters to do typing and they are not always in the courtroom where they should be. Oftentimes, my own court reporter will bring in a

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stack of twenty to thirty files and will be doing a dual job by typing while she is monitoring the case. The need is real. Councilman Vogt was very clear and I recognize the overall broad picture of what is going on. The one thing that we bring to the table with this request is that this has impact beyond the stress on our staff. If these orders are not timely issued, then it has a ripple affect on the Department of Child Services, families and reimbursements for federal funds because there are continuous audits and demands for documentation on orders that we have made. It shatters out into the community in other ways that causes problems and further delays. The efficiencies that we must bring to the table really necessitate the additional staff person.

Paul Moss: Are there any comments from the Personnel Committee Chairperson?

Roy Buskirk: The one comment that I have is the fact that the CHINS program is, in essence, under the Children Services.

Charles Pratt: Yes.

Roy Buskirk: This is where the State says it is taking over the expenses for the Children Service Program but there are still positions, such as this, that the State is not taking over.

Charles Pratt: That's correct.

Roy Buskirk: I mean it's a little misleading that the State is saying that they are taking the Children Service Program over. There are still going to be quite a bit of local expenses.

Charles Pratt: There is a connection of this need to the Department of Child Services and even though the State functions are being taken over, there is still the ripple affect.

Roy Buskirk: As far as the Personnel Committee, they did present the case and we did approve it.

Darren Vogt: Council, keep in mind that the increases we are seeing here on these numbers does not include the State wanting to hear more CHINS cases next year. It is about a third more, correct?

Charles Pratt: It is hard to project but as I mentioned a year ago, any substantiated case will now come to us and require a brief hearing and the issuance of an order.

Darren Vogt: I guess that the reason I wanted to put it on record is that the State says they don't give us unfunded mandates that have financial impacts. These do and this is just the tip of the iceberg. Hopefully, with this staff, you will be able to maintain with the additional cases come through your office.

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Paul Moss: It is frustrating. We are essentially at the mercy of the sound administration by you all and I think we are lucky that you are doing a good job. Councilman Buskirk is correct that the Personnel Committee reviewed this pretty thoroughly and approved it.

Cal Miller: What is the funding mechanism for this? It comes out of the 100 series of Superior Court?

Charles Pratt: That is our request.

Cal Miller: Is this an unused portion...?

Charles Pratt: No, it is a request from the General Fund.

Paula Hughes: An additional appropriation. It is worded as...

Cal Miller: An appropriation reduction in County General.

Tera Klutz: We found out that you can not just transfer from Countywide to another department. The way that the State wants us to do that is to unappropriate money and then reappropriate it in the other department.

Darren Vogt: It is just a new way of doing what we used to do.

Paula Hughes: Also, that mechanism is necessary because we can not appropriate new dollars because we don't have an approved budget.

Cal Miller: I thought it looked like a new presentation.

Darren Vogt: I am going to do it simply so that I don't mess it up. I will approve item one in the Countywide Compensation reduction of \$20,134.

Paula Hughes: Second.

Paul Moss: **We have a motion and a second. All in favor please signify by saying aye. All opposed same sign. The motion carries 7-0.**

Darren Vogt: I will move for items two, three and four in the amount of \$20,134 to be appropriated to Superior Court.

Maye Johnson: Second.

Paul Moss: **We have a motion and a second. All in favor please signify by saying aye. All opposed same sign. The motion carries 7-0.**

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Darren Vogt: Council, we also have a salary ordinance. Move for approval of the consideration of a salary ordinance setting the pay for employees within the budget of Superior Court 100-6201-412 CHINS Court Services Clerk, OSS3/2 with an annual amount of \$26,452.

Paula Hughes: Second.

Paul Moss: We have a motion and a second. All in favor please signify by saying aye. All opposed same sign. The motion carries 7-0.

Charles Pratt: Thank you for your confidence. Begging your indulgence, I talked to Councilman Vogt about an additional matter with regard to our grant request. We are asking for a court improvement grant which is a continuation grant. This is a grant that we go after once or twice a year and largely provides contractual services with mental health providers and additional equipment purchases.

Darren Vogt: Council, this is on the addendum. It goes for computer services, contractual or whatever type...

Charles Pratt: Contractual services with Park Center and other agencies that provide mental health services.

Darren Vogt: I move for approval of Superior Court to apply for the Indiana Supreme Court's Court Improvement Grant for CHINS.

Roy Buskirk: Second.

Paul Moss: We have a motion and a second. All in favor please signify by saying aye. All opposed same sign. The motion carries 7-0.

Paula Hughes: You also have an Interpreter Grant application?

Jerry Noble: We do. We have worked with Lin Wilson on this and this is an opportunity for the Supreme Court to give us an interpreter grant. For the last three or four years, it has been in the neighborhood of about \$10,000. We are not applying for a specific amount just simply applying to be a recipient. This is something that we do jointly with Circuit Court and we divide up the money proportionate to the use of the interpreters. We have kind of an anomaly here. I just spoke with the person who administers this at the Supreme Court level yesterday. As you may recall, they gave us an additional amount last year because we had the death penalty case that was pending. That trial wound up pleading guilty and we have spent some of that money that they had given us, on things leading up to the trial. There was a substantial amount left over and yesterday they authorized us to let that money roll over and continue for the 2008 expenses. That will postpone or delay our reliance on the General Fund to pay for interpreter expenses. I wouldn't be surprised if our award was reduced a little. One thing that we do have going for us, that she explained to

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me, is that we have a good record of placing the importance of using certified interpreters and that will drive the Supreme Court's efforts at helping us with this grant. We did some analysis and currently about 52% of our cases are with certified interpreters. There are a limited number of languages for which certified people are available. We have a very diverse need for a wide variety of languages. Those are just some background nuggets of information.

Paul Moss: Any questions, Councilman Buskirk?

Roy Buskirk: Two questions. Number one is that you might call that a rollover?

Jerry Noble: Yes, sir.

Roy Buskirk: How much?

Jerry Noble: A little over \$17,000.

Roy Buskirk: And on the grant application, is there any matching funds or anything like that?

Jerry Noble: No.

Lin Wilson: One thing we need to point out is that it is not just the hours that they are in the courtroom interpreting. They also have to be reimbursed for mileage.

Roy Buskirk: You mentioned mileage. Are you able to find most of them locally?

Jerry Noble: Most of them local. There are some obscure language groups that we have had to find out of state. This year, we were able to find someone in Indianapolis. It can be significant.

Paul Moss: Are there any other questions from Council?

Darren Vogt: Move for approval allowing Superior Court to apply for the Indiana Supreme Court's 2008 Foreign Language Interpreter Grant.

Patt Kite: Second.

Paul Moss: **We have a motion and a second. All in favor please signify by saying aye. All opposed same sign. The motion carries 7-0.** Thank you. The Coliseum has an appropriation for us, item five, in the amount of \$210,000.

Randy Brown: Good morning, I am Randy Brown, General Manager of the Coliseum. With me is Jerry Noble of MSKTD. Today we are talking about the Expo Center truss coating. Many of you have been to the trustee meetings over the last two years and so you have heard about this project that began in 2006. I will ask Mr.

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Noble to bring you up to date on the current conditions that are leading to why we are here today.

Jerry Noble: A little history is good. About two years ago, we were before you asking for the money to paint the trusses. At that time, the coating was eighteen years old and failing in various areas. We received bids. The contractor worked during that summer and into the fall. We retained a testing company to do periodic inspections of fusion and coating thicknesses. We also did standard due diligence, on the Coliseum's part and my part, to observe the painting. Despite the best efforts, in the fall almost immediately at completion, large sheets of paint started to fall off. In the spring, we had the paint manufacturer come and do several analyses of paint chips. They put them under a microscope and he had certain conclusions. We followed that up in August with a destructive testing. We had a contractor come in and blow the paint off. We looked at it more thoroughly and then came up with an adjusted scope of work to remedy the situation. That project was bid and before you is the result of that bid. We received three bids and Odle Construction was the lowest and best bid at \$181,100. We are also adjusting the process to include a full-time inspector to watch the cleaning of the existing steel, the mixing of the paint and the application of the paint to make sure that it is done appropriately this time. It is much trickier to fix the paint than it was to adhere it and put it on in the first place. It is a very appropriate thing to request. That expense is \$23,200. That is where we are at this moment.

Randy Brown: We have built a \$5,700 contingency with that for any unknowns. That is for a total appropriation request today of \$210,000 out of Professional Sports and Convention Development. On the original work, we had a bid bond. We are in the process of asking for the unpaid portion of the bond. I am happy to also report that MSKTD has agreed to refund/rebate their fee and not to bill any additional fees for the project. They are rebating \$7,652.82. The original testing company, Patriot Engineering, is coming to the table and refund 100% of their fee, \$4,709. Again, we are working with the bonding company. One thing that is different with Odle is that we have increased the bid bond to 150% of the bid amount. This is something, for major projects, that we are going to do. Live and learn but we found that just having 100% coverage wasn't enough to redo it. So we think, for the future major projects, 150% bid bond should prevent us from being in a situation like this again. I would be happy to answer your questions.

Paul Moss: So net of the warranty refund, for lack of a better term, is what?

Randy Brown: Total additional cost is approximately \$138,895.18.

Paul Moss: How would you categorize that? Is that paint, supplies and things of that nature? Are we being refunded for labor?

Jerry Noble: The new coatings are the same price and similar in content as the original coating. That price is pretty consistent. The scope of work that is reflected by

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the \$135,000 is twofold. It is removing the paint from the trusses that was put on before and it is also providing full-time inspection.

Paul Moss: You would agree that the \$135,000 and removal of the paint would not have occurred if not for somebody's error or poor performance. Is that an accurate statement?

Randy Brown: To use the advice of Mr. Fishing, I will tread lightly right now because we are looking at opportunities to recoup some additional portions of that. We agree with where you are going with that but you will hear more about that later.

Paul Moss: Okay.

Cal Miller: Didn't you comment on that when you said you were looking to the bond?

Randy Brown: We are looking at the bond but we are also looking at some other sources for restitution.

Cal Miller: Okay.

Darren Vogt: Specifically with the bond, how much is the bond for? Is that the difference between the \$210,000 and the \$138,000?

Randy Brown: The original contract amount was \$62,725 of which we have paid to the contractor, \$40,070.25 which will be the amount of the bond. We can not collect any of that money until we award the new contract. We have bid it and once we have the appropriation, we will award the contract total and that will start the next round in the process.

Darren Vogt: Then the refund of that bond will go into the same fund that this came out of?

Randy Brown: Yes and the same thing is true with the architectural refund. The actual conditional cost is \$138,895.18.

Darren Vogt: But with some of the other refunds it is actually less than that.

Randy Brown: No, that is the true amount.

Darren Vogt: Okay.

Paul Moss: Councilman Buskirk?

Roy Buskirk: I am a little confused in the actual cost as \$138 plus and you are asking for \$210,000.

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Randy Brown: That is correct. The reason is that we can't just put the money back in the fund. We need an appropriation to do that. That is the cleanest way of doing it.

Tera Klutz: Yes.

Randy Brown: The breakdown of where the \$210,000 comes from is the new contracting amount is \$181,100. The testing company, Nelson Tank Engineering and Consulting, is \$23,200. The contingency amount is \$5,700. That is all for a total of an additional appropriation of \$210,000. We have \$22,654.75 that we haven't paid yet. The architectural refund from MSKTD is \$7,652.82. The testing company, Patriot Engineering, amount is \$4,709. The performance bond amount is \$40,070.25. That totals to \$75,068.82.

Roy Buskirk: The light bulb came on. Thank you.

Paula Hughes: Council, one of the things that I questioned Mr. Steigmeyer about, when he called to ask if I had any questions about this, was the on-going project of the City of Fort Wayne building a new baseball stadium and the eventual disposition of the existing stadium. I wanted to make sure that this project wouldn't take too big of a chunk out. The intention was that this is the fund used to pay for whatever the disposition of that stadium is, in probably a year and a half to two years. I was assured that with the annual revenues of, conservatively \$900,000 and probably greater than that, that it won't be a problem at all. Just a reminder, for all of us, that this is the fund that is sort of earmarked for that project but we don't have firm numbers on it.

Randy Brown: The engineering estimate to demolish the stadium and turn that into a parking area is about \$2.2 million. To give you a current fund balance of where we are with the Professional Sports and Convention Development, the balance as of February 29, 2008 was \$1,236,247.88. We are projecting an end of the year balance of \$1,776,000. To give you some history, in 2006, this fund collected just over \$919,000. In 2007, it was just over \$1.2 million. We should not have an issue with that. We committed, if you recall, to keeping the stadium open as a contingency for the Wizards through early 2009. Anticipated demo will be late summer.

Paul Moss: So the demolition is around \$2.2 million. Is that correct?

Randy Brown: That is correct.

Darren Vogt: And the new parking lot.

Paul Moss: Help me understand because I don't recall a conversation on the \$2.2 million. What is the process, given the fact that we are the fiscal body for the County and that is a pretty substantial amount of money? How do we get tasked with that liability since I don't recall having a conversation about that part? How does that occur? When that time comes, are we just perfunctory approving that expense?

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Paula Hughes: As a part of the ongoing conversations when Harrison Square was forming, and I believe this body was involved in those conversations, there was discussion of one, whether the County would participate in the Harrison Square project. I think we were fairly clear that we were not going to participate in funding the new project but there was an understanding that the County would be left with the disposition of the existing Memorial Stadium. The Coliseum's preference and recommendation, I believe, is to demolish that stadium and create more parking. It has not been voted on by the Commissioners, not by the trustee board and not by the Council. It is just the Coliseum management's preferred plan of action.

Randy Brown: If I could say something on that. The County, the City and IPFW were involved in a study. CSL out of Minnesota was hired. They are a recognized consultant in tourism, convention centers and athletic facilities. They looked at the stadium and our community and looked at a reuse opportunity for the stadium. After numerous meetings, from amateur baseball, to IPFW and the list goes on and on, it was determined that there was no self-supporting opportunity to keep Memorial Stadium open. Once the new stadium was built downtown, that is where the focus would be. Short of a \$3 to \$5 million endowment, the most appropriate thing to do was to raze the stadium and position the Coliseum for the future.

Paul Moss: Well, to Councilman Vogt's comment earlier about State unfunded mandates, this kind of feels like an unfunded mandate from the City.

Paula Hughes: We can not spend a dime but we would have the liability. We could stop spending any money at all on Memorial Stadium but I think there would be a tremendous liability present for the Coliseum property.

Randy Brown: I think there is a bigger issue in that we are all living and working in the same market. It is much the same debate, of a few years ago, when we were talking about the arena. A market this size can not support two arenas and a market this size can not support two minor league baseball stadiums. We can keep Memorial Stadium open but I think it would be at a cost to both facilities.

Darren Vogt: To that end, let me ask, the \$3 to \$5 million endowment that you are talking about, what does that do? If we are already spending \$2.2 million to make it a parking lot that would leave \$1,800,000 to \$2 million that would need to be collected from an outside conglomerate to make that a useful facility. Where did that conversation take place because I was not privy to that? Was that money ever thrown into the pot or was that money kept out telling them that they needed to get the \$3 to \$5 million? Where was that conversation?

Randy Brown: Let me clarify one thing. When we are saying an endowment of \$3 to \$5 million, we are talking about the operation of the facility. There are improvements that would need to be made to keep the facility usable. We have identified approximately \$2 million of capital improvements needed to maintain the stadium as

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an ongoing property for the next ten years. You are talking minimally of \$5 to \$7 million to truly maintain it.

Paula Hughes: There were exhaustive conversations with multiple entities within the community. That was at this time last year or a little earlier. The CSL study that came out, I thought everyone on Council got a copy of that and if not we can certainly redistribute that, but there was a lot of discussion about who could use it and why would they want to. Most of the high school and college athletic departments came back and said they would rather not use that stadium because it is so large that it makes anything that their teams do look much smaller than it actually is. It is a scale thing.

Randy Brown: It is one thing for special events but to play a whole season there wasn't lucrative.

Paula Hughes: They weren't interested in it, basically.

Paul Moss: Councilman Buskirk?

Roy Buskirk: One question is, so everyone understands, the Professional Sports and Convention Development Fund, what is the source of revenue?

Randy Brown: Think of it as a TIF area. It is dollars generated from the operation of the Coliseum. Events that take place at the Coliseum, there are four tax sources generated from the fund itself. The County Option Income Tax on employees, State income tax on employees, sales tax and food and beverage tax dollars. If the fund is capped at five dollars per person, based on County attendance, we are getting very close to that. The good news is that the new hotel is within our Professional Sports. While we will be losing the stadium, it really didn't generate many dollars for us. We think maybe later this year we may reach that cap.

Paula Hughes: What is that cap, in the gross amount?

Randy Brown: Approximately \$1.5 to \$1.6 million.

Paul Moss: Why didn't the stadium generate much?

Randy Brown: There are limited salaries involved with baseball and the food and beverage spending is about a million dollars a year.

Roy Buskirk: The reason that I asked that is to make sure that people understood that it is not from the food tax which is countywide. You mentioned that part of the revenue is from food tax but it is just in that small area around the Coliseum.

Paula Hughes: It is the sales tax on the food. One note, while we are talking about this, we owe a debt of gratitude to Vera Bradley. In addition to expanding their

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operations and staying here, their annual sale is the largest source of revenue for this fund.

Randy Brown: We certainly appreciate the client, Vera Bradley, and hope that they continue this for many years to come. They have extended the sale this year. It is one event that brings in over forty thousand people. One of the questions has been would they ever consider doing it at their facility? They told us that they are so programmed with what they are doing there that they would not consider it. They are doing this sale in other parts of the country and we have given them some potential locations to help them with that.

Paul Moss: Are there any other comments or questions from Council?

Paula Hughes: Move for approval of the appropriation in the Professional Sports and Convention Development Fund for equipment and property renovation in the amount of \$210,000.

Maye Johnson: Second.

Paul Moss: We have a motion and a second. All in favor please signify by saying aye. All opposed same sign.

Cal Miller: I am going to abstain. I will explain my abstention. I am representing the Coliseum but I don't know if I have a conflict. I will look into it because I don't want to not be a part of the vote consideration. Through an insurance company, I have been retained to represent the Coliseum in a slip and fall situation. They are not paying me and although I have been welcomed to assist, they are also not selecting me. I am a panel counsel for an insurance company. I wanted to disclose that because I intend to go back and look whether I really have a conflict. I do want to be a part of the discussions and vote with respect to the Coliseum issues.

Paul Moss: The motion carries 6-0-1 (Miller).

Randy Brown: May I add one more thing that is unrelated?

Paul Moss: Go right ahead.

Randy Brown: Just to give you a quick update. Tomorrow in conjunction with our partner, the University of Notre Dame, we will be delivering a bid document to the NCAA in Indianapolis. Notre Dame is 50% partnered with the Coliseum for an event for 2010 or 2011 and is the NCAA Men's Division One Regional Championships. We are excited about the prospect of working in conjunction with the CCSA. Notre Dame is an equal partner with the Coliseum. It is a risky endeavor. If we didn't sell one ticket, we would be guaranteed \$300,000. We feel it is a good risk to take. We hope to have a press conference in maybe six to eight weeks.

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Roy Buskirk: Next time, you might think of IU or Purdue.

Randy Brown: They don't have hockey teams. Good point though and I know what you are saying. We hosted NCAA volleyball three times. With this next the step up with a major sport, hockey, this will position us for either men or women's basketball.

Paul Moss: Thank you. Next is item six in the amount of \$17,515 in the Department of Health Fund.

Mindy Waldron: Good morning, Mindy Waldron, Administrator in the Department of Health. First thing we have on the agenda today is we are asking for an appropriation. A few months ago, we asked for permission to apply for a Workforce Development Grant from the Indiana State Department of Health. About sixteen counties in Indiana were able to apply for this grant. We were the recipient of the largest amount, I believe, and our project is being looked at as a State pilot for ongoing training for public health. We develop a curriculum in coordination with Taylor and IUPUI and over the next year, most of our staff will go through some ongoing training. We have received this grant and are just asking for it to be appropriated into contractual so that we can begin paying our instructors for the courses starting in April. I would be glad to answer any questions on that.

Paul Moss: Council, are there any questions?

Paula Hughes: Move for approval of item six, contractual for the Department of Health in the amount of \$17,515.

Maye Johnson: Second.

Paul Moss: **We have a motion and a second. All in favor please signify by saying aye. All opposed same sign. The motion carries 7-0.** There is a transfer as well.

Mindy Waldron: Yes. After some extensive discussion and research, we have decided to implement a new testing system for West Nile Virus. This has a 30% increase in accuracy of any type of test that is available. It requires an equipment purchase but overall, it will cost us less in the scheme of things. The accuracy, to us, was worth the expenditure and we were able to make that happen within our allocation with a transfer from supplies to equipment. We will also be able to do the test in-house and will not require us to go off-site to do the testing. It will cut down on some overtime costs as well. We are just asking for the transfer today.

Paul Moss: Are there any questions?

Roy Buskirk: Make the motion for approval of items seven and eight.

Darren Vogt: Second.

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Paul Moss: We have a motion and a second. All in favor please signify by saying aye. All opposed same sign. The motion carries 7-0. Thank you. Circuit Court has a salary ordinance.

Tim Miller: Good morning, Tim Miller from Circuit Court. Did you get the report from the Personnel Committee?

Paul Moss: Yes and we should have had that on earlier but that is my problem. If you would like to go ahead and explain what went through Personnel Committee.

Tim Miller: Essentially the Adult Probation Department lost a long-term employee to a terminal illness last fall. We looked at the staffing and the duties and we reorganized. We are turning a part-time Executive Secretary into a full-time Executive Secretary with assuming some of the responsibilities of the person who passed away. We are shifting dollars around within the User Fees Fund.

Paul Moss: Are there any comments from the Personnel Chairman?

Roy Buskirk: Last week, the Personnel Committee did approve it. The recommendation from the Personnel Committee is to approve it.

Paul Moss: Any additional questions from Council?

Darren Vogt: Move for approval of the salary ordinance consideration for the employee within the budget of Circuit Court, Executive Secretary, PAT 3/2 in the amount of \$34,456.

Paula Hughes: Second.

Paul Moss: We have a motion and a second. All in favor please signify by saying aye. All opposed same sign. The motion carries 7-0. Thank you. We have a couple of grants here. One is for the Sheriff's Department.

Dave Gladieux: Good morning, Dave Gladieux, Chief Deputy in the Sheriff's Department. I am sitting in for vacationing Sheriff Fries. Apparently, in his world, Spring Vacation is two weeks long.

Laughter.

Dave Gladieux: I am before you today to ask for permission to apply for the Drug and Alcohol Consortium Grant. This is in the sum of \$34,342.50 and will be used to purchase 15 Portable Breath Test (PBT) instruments and five additional in-car cameras.

Lin Wilson: The grant is funded from fees for people who have to go to court for drug or alcohol offenses. This is also timely because we are going to be participating

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in a grant with the Fort Wayne Police Department on DUI enforcement. These will come in handy when this blitz starts going on. We are not the legal applicant of that grant but are just sharing the money. They did all of the paperwork and then just give us the money. This is no match and a good grant to get.

Paul Moss: I know that Jerri Lerch does a great job with the Drug and Alcohol Consortium but do you recall where the majority of her funding comes from? Does the majority of her funding come from those fees?

Paula Hughes: Not any longer.

Lin Wilson: She has a federal grant but it is about to wrap up. It was a three-year grant.

Paul Moss: The majority of her funding was from that?

Lin Wilson: It was but it had to be used for certain categories. You have to submit a grant budget and she is towards the end of that grant.

Paul Moss: So how will that be replaced?

Lin Wilson: I don't know. I know they get about \$250,000 a year that they disburse in the forms of grants to the various agencies. Last year they funded the school resource officer's dog that they have at Carroll High School. They paid for the dog's gear, the crate and stuff like that. Anything that is related to youth and drug abuse is what those grants are for. The federal grant wasn't permanent and was a three-year grant. I don't know if they are going to reapply or not.

Paula Hughes: I am a member of the Drug and Alcohol Consortium Board, actually Vice President of the Board this year, and there is not a concern about the funds drying up. Lin, you maybe have a narrower perspective on what DAC does but their budget is actually far in excess of those grants. That is a grant that they will reapply for but it is one of many. The scope of the organization has changed quite a bit in the last three to four years. I believe they are going to be on our agenda next month bringing forward their grant recommendations. At that time, Jerri is going to be able to make a presentation and answering all of those questions.

Roy Buskirk: I have a question as far as the equipment on the video cameras. Is that to replace or upgrade the existing video cameras in cars or is it additional cars?

Dave Gladieux: It is upgrade. Probably some of this money can go for more than just five. We have run into a problem with the PBT's. They are getting very old and need replaced. We are not in as bad shape with the cameras as we are with the portable breath test instruments.

Roy Buskirk: Thank you.

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Paul Moss: Councilman Vogt?

Darren Vogt: One question that I had is on the DUI grant that you are going to apply for.

Lin Wilson: No, we are not applying for it.

Darren Vogt: They were partnering with the City.

Lin Wilson: The City applied for it and was awarded the grant in October. We just found out about it.

Darren Vogt: As we are enforcing those DUI's, it creates more court costs for the administrative side for putting those people through adjudication. Is there a way that you can look for grants to help them out at the same time?

Lin Wilson: They get a portion of the tickets.

Dave Gladieux: I just had a meeting with Chief York, two weeks ago, about this. We are going to look into the actual grant to see if we can use some of that funding for costs on the front end. I know years ago we were able to fund an additional dispatcher or policeman to run the testing. As far as lockup personnel or court personnel, I don't know but it is being looked into.

Lin Wilson: The legal applicant would have to submit a grant amendment request to the agency and they would have to approve that. That would have to come from Chief York.

Dave Gladieux: We have even talked about limiting the number of officers on patrol. Then maybe we could take some of that money and do what you are talking about.

Darren Vogt: One other comment as I sit on the committee that the Sheriff is doing with the EVOC Training Course. I would like to see us get Lin involved with the grants that we have out there. We have a great resource in her and I would like to see the Sheriff utilize that. She has untapped knowledge and I think we are missing the boat on making sure that we have everything to move this forward. I will continue that conversation with the Sheriff but if you can make sure that gets back to him as well.

Paul Moss: Any other questions or comments? If not, I would entertain a motion.

Patt Kite: I move to approve the Sheriff's request to apply for the OWI grant.

Roy Buskirk: Second.

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Paul Moss: We have a motion and a second. All in favor please signify by saying aye. All opposed same sign. The motion carries 7-0. Thank you. We have another grant application.

Nelson Peters: Good morning, Nelson Peters, Allen County Commissioner.

Lin Wilson: Our grant request is a repeat because we requested to submit this last year but then we had a lot of things that came up and were not able to get it submitted. There was a Riverhaven Sewer District and it had to be dissolved. They didn't like the survey and we had to revise that. The DNR information didn't come back in time so we submitted it for round one, this year. This is the grant application, in case you are wondering what I am carrying. It is 469 pages. We had to submit an original and four copies. NIRCC also submitted one on behalf of Monroeville. To partner and get this done the most efficient way, NIRCC let us use their county car and my staff time to drive the ten applications down there rather than try to ship them. It is shipped by weight and it was going to be more efficient to drive it down there. It also turned out that Fed Ex dropped somebody else's application. They are not allowed to be bound by this. They can only be rubber banded. All of the pages were scattered and the staff was spending time trying to put it back in order. Anyway, long story short, this is a grant application to fund the construction of sewers in the Riverhaven area which is partially on a flood plane. This is to request \$500,000 which would be matched with a State revolving fund loan that would be authorized by the Allen County Regional Water and Sewer District. I was also able to obtain \$100,000 from the Fort Wayne Community Foundation to assist with this project. The total project is going to be about \$1.16 million or something like that. It is less than \$2 million. It is not cheap because we have to use grinder pumps because it is in a flood plane. It is the kind that they use around lakes. You can't use gravity flow in an area that has high water and saturation problems. I could show you some of these pictures, if you want to see them. It shows the illegal tiles where they have pipes going right into the ditch or right into the river. There are homemade septic systems, no septic systems, every opportunity available. The liaison who worked with us said to document with photos. Mark Herber, from the Department of Health, went out and took photos of the failed septic systems and they are pretty clear. The awards will be announced in June. If we get this money, we will be able to get this bid by December. The project will actually be initiated by the Regional Water and Sewer District. This will function as a pass-through grant. I am the certified Grant Administrator so I will be managing the grant portion of the money and making sure that it is tracked appropriately.

Nelson Peters: Should we not get this grant, then it is unlikely that this project would move forward because this represents such a major portion of the construction costs for the people out there. They may not be able to afford it without this grant.

Lin Wilson: If we don't get it in this round, I am not going through this again.

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Paul Moss: Would any Council member care to review the 400 page document?
Councilman Buskirk?

Roy Buskirk: My question is that it sounds like the grant has already been applied for.

Lin Wilson: Yes it has.

Roy Buskirk: We are approving the application for the grant.

Lin Wilson: Right. It was approved last year but this is to make sure that it is current for 2008.

Darren Vogt: They ran into snafus last year getting everything done.

Lin Wilson: Right. And I wanted to be sure that everything was done that could possibly be done before I could submit it.

Paul Moss: I don't want to diminish the importance of the grant because that is work that clearly needs to be done. Councilman Vogt?

Darren Vogt: You said there was going to be a revolving loan?

Lin Wilson: State Revolving Fund Loan. That is through the Indiana Finance Authority and they finance loans for infrastructure projects for water and sewer. They don't do stormwater. The interest rate is like 2.9% for twenty years.

Darren Vogt: That is repaid via the fees that homeowner...

Lin Wilson: Through the utility rates. If we didn't have the grant, it would be about \$140 a month but with the grant it will be about \$72.

Darren Vogt: Okay. Are they participating in any other way than that?

Lin Wilson: They have to pay to have a line extended to the road. That will be \$900 to \$1200, depending on the house.

Darren Vogt: Is it going to be a mandatory hookup for them?

Lin Wilson: Yes it is. This is IDEM regulations. It will also improve the water quality of the Maumee River.

Darren Vogt: There is no doubt it will help their property values too.

Lin Wilson: And it will protect their wells.

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Nelson Peters: And cleans up the rivers.

Darren Vogt: I just wanted to make sure they were participating in some ways. That is through the hookup fee and the utility rates. Thank you.

Paul Moss: It is probably not real well known, and I know the Commissioners have put a lot of effort into doing this, but it is a very worthy project. Are there any further questions or comments on this?

Lin Wilson: One other thing to point out is that when I throw out CDBG that is like HUD, which is income based.

Roy Buskirk: After the project has been constructed, then the sewer district administers the fees?

Lin Wilson: Yes because Allen County can not own utilities.

Darren Vogt: Move for approval of the CDBG Community Focus Fund-Riverhaven Sanitary Sewer Project grant for \$500,000.

Roy Buskirk: Second.

Paul Moss: **We have a motion and a second. All in favor please signify by saying aye. All opposed same sign. The motion carries 7-0.**

Lin Wilson: Councilman Vogt asked if there were any possibilities for this grant to be used in other areas. It is based on income and right now the current income guidelines, in the Fort Wayne Metropolitan Statistical Area, for a family of four income would be at \$49,050. You would have to have 51% of the people in the service area at that income. If you have less than that, you wouldn't be able to qualify for the grant. In Riverhaven, 81% qualified.

Darren Vogt: Let me clarify the reason that I asked that. My district has a lot of failing septic systems and I thought that if those kinds of grants were available, then we could look into it.

Lin Wilson: The median income for Perry Township is \$76,000. I don't think they would ever qualify for these grants. There are also USDA grants that are outside of the incorporated area. That might be another option. In talking with the Regional Water and Sewer District, my understand is that Hometown, because they are incorporated, their sewer system would be the one extended out into areas in Perry Township. They would have to be ones to initiate any additional funding because it would be their sewer line.

Paul Moss: I think it depends on which side of Coldwater you are talking about.

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Darren Vogt: But if it is going under Coldwater. I think Hometown is going to go under Coldwater.

Paul Moss: Let's not go into this too deep right now. Now we are going to have a conversation with the Commissioners about Maplecrest Road. All of you will recall that this was a topic of discussion at a previous meeting and there were some requests for additional information. I am not sure who compiled the information but I found it very useful. I appreciate the effort that went into it. If you want to take the floor, I am sure there will be some questions.

Bill Brown: Bill Brown, Allen County Commissioner. Chris Cloud, our Executive Assistant, worked with Economic Development to put this together.

Nelson Peters: I think that it is important to understand, right from the get-go, we are not asking for anything. We are here to update you and provide additional information per your request. There will come a time, perhaps in the next month, that we will be making an act to get your support on a bond issue depending on how the information plays out. What you have before you, that Mr. Cloud put together, is a document that includes the history of the project from 1967 until now. This is up to and including the \$54 million that the cost has now escalated to. You will also find a section that may not be particularly clear but it lays out the boundaries of the project and the Tax Incremental Financing (TIF) portion that belonged to New Haven. New Haven has passed an ordinance to help us with the TIF portion of the project. The City of Fort Wayne will soon be doing the same thing. Also, you will find potential funding sources. Sources that we hope will be utilized to pay back the bond and includes money from Major Bridge, Surtax Wheel Tax and a couple of other funding sources. We are not suggesting that this is the funding mechanism to make this work. We are suggesting that those are possibilities that can get us where we need to get to and still leave us with about \$1.5 million for other highway projects. There is a section in there that talks a bit about bonding service fees. It is important to understand, up front, there are two types of legal counsel that go into a project like this. One is a bond counsel and they simply make sure that you stay in compliance with all of the federal regulations. You will see that for projects, ranging from Northwest Allen County Schools, Fort Wayne Community Schools and the Library, the costs have ranged anywhere from \$1 million to \$49 million. The dollars aren't always associated proportionately with the cost of the project. It is kind of a crapshoot. We did seek bids for bond counsel. It appears that we will be selecting bond counsel out of Indianapolis and it will cost \$27,500. That figure came in real close to the other two bond counsels that we sought information from. The other type of counsel is the legal counsel. We have chosen, at this point, to utilize our current legal counsel, Bill Fishering. You will also find a reference, in the back of the packet, to the impact study that we are seeking to have done. We are negotiating the final amount that we are willing to pay for the study. Once we are able to agree on that, we will proceed in hopes of getting the study done within the next four weeks and before your next Council meeting.

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Bill Brown: We wanted to make sure that you got the documents early too. Did everyone receive those?

Paul Moss: Yes and that is greatly appreciated.

Linda Bloom: You didn't get any, Roy?

Roy Buskirk: I did but I thought we were going to get some additional information.

Bill Brown: As in what?

Roy Buskirk: Expenses and revenue and what has been pledged.

Linda Bloom: That is in there.

Paul Moss: Some of it is answered in here.

Roy Buskirk: I think Chris has some.

Chris Cloud: Councilman Buskirk and I talked, on Monday and he had asked for what had been pledged. There are ten copies here to pass around.

Roy Buskirk: As I expressed to you last night, Nelson, I get totally confused with \$11 million that is federal. Actually it is not \$11 million but \$8 million plus.

Paul Moss: I have looked through this and have a full page of questions but I want to defer to the rest of Council first.

Darren Vogt: We will let you fire first.

Paul Moss: I am not going to fire. I just have some comments. For me, this is a tough issue because with everything that is going on, there is tremendous pressure on property taxes and frankly, any tax. Taxpayers are feeling such pressure and I think what we need to do is prioritize. I think you have done a very good job of that. This kind of brings to a head, in terms of needing to prioritize and things of that nature. If you do the simple math on this, you are essentially looking at about \$37.5 million per mile of expense here. In my mind, intuitively, that makes me think that it is a lot of money and how do you weigh the cost and benefits of spending \$37.5 million? And particularly given some of the bond obligations that the community has already, I think you have acknowledged in this document that we are going to have to do some bonding. It appears that the amount of the bond, at this point, is unknown and I understand that. That unknown concerns me as well. As I said, I have quite a few questions here. One of the questions is about the future cost of maintaining it. It appears that you are going to be building three new bridges...

Linda Bloom: Four.

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Paul Moss: What do we believe, and is it even possible to estimate, the future costs of maintaining those bridges? It appears that these are going to some of the longest bridges that we have in the County. I don't expect you to be able to answer that. I think that is something that we need to be able to try and factor in to the overall equation.

Bill Brown: Can I address that?

Paul Moss: Sure, go ahead.

Bill Brown: I think one of the things that has become very evident to me, and this goes back to the Major Moves concept that the government put in, is getting these projects done sooner rather than later. When we see the escalating cost of construction is just dramatic as to how it has changed over the last not too many years. We are going to see, with infrastructure in general, that it is going to be a significant cost. This project is really built upon economic development and growth of the southeastern part of the county. The TIF that has been set up and the willingness of the County, the City of Fort Wayne and New Haven to pledge TIF dollars, then project the development into the area. It is really a growth factor to the future of Allen County. It doesn't specifically answer how we are going to maintain it but talks to the point that we need to continue to grow the economic might of Allen County.

Paul Moss: I don't disagree with that but it is a pretty broad generality. When we are spending \$37.5 million per mile, we need to not speak in generalities to justify this. We need to speak to specifics.

Bill Brown: A real quick point on that.

Paul Moss: We are never going to get done here, Bill.

Roy Buskirk: You got your answer on maintenance cost.

Paul Moss: We don't know and nobody can guesstimate what the cost is going to be. That is just something that we need to consider. We obviously have issues trying to maintain some of the bridges that we already have. Now we are talking about building some additional bridges and some of those will be the longest in the county. This is something that maybe Chris can look into as you continue to add meat to the bones here.

Bill Brown: When we talk about the per-mile for bridges, I think we have to remember that the numbers do jump at you.

Paul Moss: They are absolutely mind boggling. There is pressure to move forward with projects like this because "Oh my goodness, it is going to get more expensive." And it will get more expensive. That is somewhat of a legitimate concern but it

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doesn't, in my mind, outweigh the fact that we need to be prudent and look at specific details of the project. My next question is, we talk about eliminating two railroad crossings. Well, not eliminating the crossings but the interactions with those crossings. How much does that specific part of the project cost? It appears as though much of the justification for this project is based on eliminating those because there are public safety concerns there. It would be interesting to know how much that component is and if that is something that can be done exclusive of this entire project? I also noticed that Norfolk Southern committed \$500,000 to the project. I wondered if that could be corrected within the \$500,000.

Darren Vogt: I have a point along that line. I understand that concept. The issue is the switching station there that causes lengthy backups on Estella. Have conversations been had and what bridge could we eliminate if the switching station were moved? If that is a major bridge, would it make sense to eliminate that bridge and help offset the cost of moving the switching station out to the other side of 469? It would make better economic impact than it would where it sits right now in the heart of New Haven. You would then have railroad traffic going through but not the switching station.

Nelson Peters: You have identified part of the major cost of the project. When you have two spans that go over tracks, out of four bridges, which will constitute the major expenditure in this project, you are absolutely right. I would assume, and I hate to assume too much, that the engineers would have looked at that previously. It is something that we can go back and inquire about.

Darren Vogt: To the point, if building the bridge is \$25 million and it costs \$5 million to move the switching station, that is money well-spent.

Nelson Peters: That is a fair question.

Darren Vogt: To Councilman Moss' point, I am struggling with the fact that this is a major, major expense from a bonding standpoint. Some of these monies aren't even received yet or earmarked from the federal government. We are looking at \$8 or \$9 million that isn't even ours yet.

Linda Bloom: What are you saying? That is earmarked.

Darren Vogt: The second \$8 million is not. The 2009 transportation bill, you are looking for \$8.8 to \$9.6 million.

Nelson Peters: That is the amount that we are short. You are correct. Let me try to clarify something else though. The \$25 million bond is something that we are not desiring to saddle additionally on taxpayers. The bond will be paid back through existing tax revenues such as Major Bridge Funds, Wheel Tax Surtax and some of the other funds that go into the Highway Department. We have to be very clear, at

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the outset, that although this is a huge number, we are not going to the taxpayers and asking for additional dollars.

Darren Vogt: Unless there is a problem with something that we didn't have funds for.

Nelson Peters: Obviously, if the thing gets too far out of hand, we would have to re-evaluate, as you all have alluded to, as to whether the project even makes sense.

Paul Moss: Councilman Buskirk?

Roy Buskirk: When do you expect the economic impact study?

Linda Bloom: Three or four weeks.

Nelson Peters: Three or four weeks. Hopefully before the next time we meet. That is what we have asked, at this particular point. We would like to get this process concluded by June 30th so that we can stick shovels in the ground by Spring 2009. We told them that it is critical if we are going to get your buy-in and the buy-in of the people that we represent.

Bill Brown: These discussions are being beneficial. There is going to be a cost in doing the economic impact study. As Nelson mentioned earlier, we are in the process of negotiating the fee but they don't come cheap.

Roy Buskirk: So you haven't ordered it yet?

Bill Brown: We haven't ordered it yet. We have a current bid. As Nelson mentioned, we are in negotiations. We felt that \$50 to \$60,000 was a little expensive so we hoped that we could negotiate that fee down a little bit. We also didn't want to have any redundant work. This project, at its old price, was expectations that have set out there for years. It has gotten dramatically more expensive. As time has gone on, there has been an expectation that this would eventually get built. Now we are seeing these costs and we feel like we need to firm it up.

Paul Moss: Allow me to continue with my list here. I am not hearing from the folks of Allen County that there is an expectation to have this built. Are there petitions out there from citizens asking for this?

Bill Brown: No, I don't think that is the case. I just think that with certain entities, Fort Wayne, New Haven, Do It Best and some of these businesses...

Paul Moss: I understand and maybe I have the wrong mindset but I look at this a little differently. History has shown that as a general rule, the Alliance, the City of Fort Wayne, the City of New Haven and different governmental entities are prone to using broad generalities to justify public projects. I think we need to do a better job of

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making sure that some of these questions are answered. I am open-minded about it but there are a lot of questions. As an example, talking about the economic development component, I know you are going to do an economic impact study. I am going to assume that Mr. Young, from the Alliance, could tell us what companies have declined to locate in that area. Are there companies that have declined to locate in that area specifically as a result of the lack of this project? I would be interested in knowing that. I know Chris has been jotting down notes back there and I don't expect this to be explained now. What they estimate is a two percent per year increase in jobs in that area. We are probably going to have a two percent increase in jobs across the county just because of population growth and various sundry other things.

Bill Brown: Are you talking about the numbers in here?

Paul Moss: The numbers that were provided.

Bill Brown: The way I read that is that it was a projection...

Paul Moss: I understand that.

Bill Brown: without the bridge.

Paul Moss: The economic impact study is probably going to be a projection, as well. I am taking the projection that has been provided. In doing simple math, it appears that they are projecting a 2% growth in jobs in that area.

Bill Brown: That is without the bridge.

Paul Moss: Then as a part of that, I would like to know what the projection is for the additional jobs...

Nelson Peters: Obviously, that is what the impact study is all about.

Paul Moss: And again, I would like to know what companies declined locating there as a result of the lack of the bridge.

Bill Brown: That one might be a little tough.

Nelson Peters: Walmart has not built and are waiting to do so in anticipation of this project.

Roy Buskirk: That is a drainage issue.

Nelson Peters: I think it is a logistics issue too.

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Bill Brown: In a way, it is kind of like the companies that declined to build by the interstate.

Paul Moss: In getting back to the railroad piece, as I looked through this, I could not do the math for the 2.8 million interactions that was in there. You bundle the crossings together and then you un-bundle them and come up with the 2.8 million. How many railroad crossings are we talking about, where these interactions occur? Is it six? And they have varying degrees of trains going through there and then a certain number of cars coming through as well. I still couldn't get to the 2.8 million. That just seems like an incredibly high number of interactions. How many of those crossings will be specifically affected by this?

Bill Brown: Two would be eliminated.

Paul Moss: So, it would be helpful, for me at least, what is the actual traffic count at those two crossings and what is the train count at those crossings? Then we can get an accurate interaction number because it felt inflationary, a little bit. One of the other reasons for this is public safety. I would be interested in knowing, from the Sheriff's Department or somebody, can I have specific examples of inadequate response times? As you mentioned, there are corridors available to get to one end or another, that are about 3 ½ miles away. I just want to know what has been the response time.

Bill Brown: Those are points well-taken. As we developed this document, that was a question that I had also. What I think you are asking for is more statistical stuff.

Paul Moss: Yes, and that is information that should be readily available. It is very easy for the Sheriff, and no offense to the Sheriff, to say it would be a lot better for public safety if we had that.

Linda Bloom: Yeah.

Paul Moss: To spend \$37 million under the guise of public safety, based on one person's statement, I need a little bit more than that. There has to be some data out there that shows response times. Ardmore was used as an example of positive process and outcome. It would be interesting to see the before and after look of that in terms of employers that are out there. I am not denying that it was helpful to have that extended. The taxes generated, new jobs and things of that nature would be quite helpful. You also talked about \$1.08 million in CEDIT and COIT dollars that are estimated in the growth of jobs. Again, we are getting back to the economic impact component of this but what about property taxes. Is there going to be growth in property taxes or are those companies going to be abated on this? That needs to be factored in, as well.

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Bill Brown: Just a brief comment on that. One thing we did, when we set the TIF up, was modeling from other parts of the County. That was our initial basis for some of the information on the TIF. These are all good points.

Cal Miller: The property taxes wouldn't increase. They would just be disbursed among more people.

Paul Moss: They wouldn't increase but we have to understand that every time that we abate property taxes for a company, it increases the burden on residential.

Cal Miller: This, I understand.

Roy Buskirk: It might not now because of the 1% max. That is going to change the equation.

Bill Brown: We do have to remember, with abatement or TIF, that AV did not exist. It is a building built that you abate. It is basically a staged-in relief and at the very least, you get 10% of the AV that you didn't have.

Paul Moss: All I am asking for is to quantify that somehow. My comments, that concern me, are that from a federal funding standpoint, that really still is an unknown. If we have to hire a legal firm to lobby for additional funds, that is going to be an ongoing process. We don't know how much additional money we are going to get down the road. The TIF funding is still a huge unknown. There are so many variables there that are causing me great concern. The Fort Wayne and New Haven, it appears that those are estimated numbers, I would appreciate knowing when those numbers get solidified so that we can quantify that as well.

Linda Bloom: They won't. They will escalate just like the County portion. It is total cost and then a proportion for the City of Fort Wayne, the City of New Haven and Allen County, on the 20%.

Paul Moss: Okay, so it is a proportion.

Darren Vogt: But they are committed to their portion.

Linda Bloom: Yes.

Paul Moss: The only other comment I have, and then I will shut up, is the comment in here about the flat fees on a sliding scale. I thought that was somewhat of an interesting comment.

Linda Bloom: Flat fee on a sliding.

Nelson Peters: Are you talking about legal counsel?

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Paul Moss: Yes. I had never heard that before.

Nelson Peters: There are a couple of ways to do that. A lot of times, their charge is based on the project and their charge is on an hourly basis. We have asked Fishing to go back and let us know what the per hourly basis would cost.

Bill Brown: Is that sort of a number not to exceed?

Nelson Peters: That is where we are heading, yes.

Paul Moss: I know that you have worked hard on that particular component but it would be nice to understand what those dollar figures are going to be. I promised that I would shut up from here on out. Councilman Vogt?

Bill Brown: This is good information that we need to incorporate in the economic impact study. It shows the need to spend the money to do the study to get the information...

Paul Moss: We are beyond the time where we can just talk in broad terms about projects like this.

Darren Vogt: One of the concerns that we have is that these are not property tax dollars but some of the actions that we do creates property tax increases. When you look at Major Bridge revenue that you are going to use to pay this, you are basically taking all of the Major Bridge revenue out and using it for debt services. You would be leaving about \$3 million in that fund to take care of the rest of the bridges in Allen County. If that money is exceeded, and we are going to add four major bridges to the county's role, that is a big concern that I have. Without projecting forward about what are expenses are going to be, I have some great concerns. You have included, in the debt service, wheel tax and surtax and currently, that is spent on road repair, correct?

Nelson Peters: Right.

Darren Vogt: So, I would like to see from the Highway Department, what that is going to do to the roadwork projects that they are either going to have to delay or not do. If we don't get the \$8 million, what is the contingency plan for that? Where is that money going to come from? If we don't get the \$8 million, is the project off the table? In fiscal year 2009, we won't know that. We have spent all of this money, going forward, and then we don't get the \$8 million. Then you will come back to us and say that we need to increase the taxes or we need to come up with another \$8 million and that is not what we agreed to. I guess I need to know what contingency B is if that federal funding doesn't come through.

Nelson Peters: Let me address the TIF real quick. Part of what the economic impact study will do is to allow us to see what that real TIF number is. We've got about

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\$125,000 in there which really means nothing in the grand scheme of this project. We do believe, however, that the number is significantly greater. We didn't want to come to you with great optimism on the TIF because we just don't know. This was based as conservatively as we could. When that study comes back, part of our request is to let us know what that number is. We had originally come to you and said that we believed the TIF revenue will help, to a good extent, to pay back the Major Bridge Fund. That would allow us to continue on as usual basis as far as bridge maintenance and repair.

Paul Moss: Councilman Buskirk?

Roy Buskirk: Continuing on with the TIF, your proposal here and correct me if I am wrong, TIF money is generated by the increased assessed valuation in the area.

Nelson Peters: Right.

Roy Buskirk: That means new construction of industry. Your estimated income is starting in 2012. That means that they almost have to start construction next year. I think one thing too, as far as TIF, is that area is more than likely to be some commercial or industrial type. We have had a problem with that over the last couple of years and now we might have problems with clean air. We are not able to attract that type of industry to this county because of the Clean Air Act. There are a lot of things that need to be taken into consideration when you start coming up with these numbers. Also, the cost of the lobbyist is \$5,000 a month. That is money that is well spent, IF we can get the \$8 million. One more comment is that our next Council meeting is in three weeks because this one was delayed a week.

Nelson Peters: Then we may be back to you in May.

Bill Brown: Just a couple of points there. Regarding the TIF, an example that comes to mind is CME in Woodburn, Monroeville, excuse me. They have a TIF set up and CME is primarily assembly. They are a very successful example of a TIF and there is a significant amount of money that they are using to potentially grow that business. I forgot what my other point was going to be. What was the second to the last thing you were talking about?

Roy Buskirk: The TIF, the Clean Air and the lobbyist costing \$5,000 a month.

Bill Brown: There was a community, and I don't remember the name, that was talking about how they weren't getting any money until they had a lobbyist. Having a lobbyist and a grant writer in place, there is a common thread in spending money to bring more money into your basket.

Paul Moss: Councilman Miller?

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Cal Miller: With the collective experience and years in county government, has there been any greater expense spent on 1.46 miles of road in Allen County, than the \$54 million that are being considered for this project?

Linda Bloom: You asked us that at the last meeting and I forgot to look and see if we had. I do not remember.

Cal Miller: Nothing comes to mind?

Linda Bloom: No.

Bill Brown: I think what is real important...

Linda Bloom: Buildings but not roads.

Bill Brown: is the fact of this. As we are talking about the historical data, when you look at two years, we are looking at half the price. This road system or bridge, in 2004, was a \$30 million project.

Cal Miller: Let me ask you the same question then. Do you know of any 1.5 mile stretch of road that has cost \$30 million?

Linda Bloom: The reason the cost is so large is because of the bridges.

Cal Miller: I understand that and I will get to my point.

Linda Bloom: It is not roads.

Cal Miller: Can you even think of 1.5 stretch of road that has a \$30 million price tag? My question first, Commissioner, is there a project that has been that costly, even if we go two years back? I can't think of any that have been that expensive. What keeps gnawing at me, and I do appreciate all of the information that you put together and I look forward to what the economic impact study shows because that will provide some useful information, is that is a lot of money for 1.5 miles. If that money was divided up into other projects within Allen County, as a whole, is the County better off? Until I am comfortable with whether that money would be better spent in a multitude of other projects rather than this one project, if the County is going to be better off in that regard, then it is a hard time getting my mind wrapped around spending \$54 million for 1.5 miles of road.

Linda Bloom: It is not all road it is bridges.

Cal Miller: I understand.

Linda Bloom: I think that the main thing we are not remembering is that this was supposed to be a north-south connector on the east side of the county. Safety, of

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course, is a big issue. When the City and the City of New Haven were given over 600 acres of property, on the east and south side of the county, from the Chem Waste Company, people weren't wanting to buy it. People weren't interested in doing business over there because of the infrastructure. It isn't just the cost, the cost is exorbitant and grows as we sit here. It is the north-south corridor. We did Hillegas-Ardmore because it went from north to south. We have so few north-south corridors or arterials. Of course the Hillegas-Ardmore was because it was a straight shot to the airport but the development that can happen on the south and east side of this county, I truly believe that the impact study is going to show that the reason it is not is because of the infrastructure.

Darren Vogt: I guess to that point, the question has been asked. Who isn't willing to buy that because of the infrastructure?

Linda Bloom: We have some.

Darren Vogt: I think that question has been asked to ask Mr. Young, what companies are not locating in that area because there has been no infrastructure? As I look at that, you have infrastructure there. You have Coliseum Boulevard and Landin Road. Granted, they aren't straight shots from any direction. If you are looking at getting to the highway from there, you are going to go south on 469 and go right down Adams Center Road. You are really talking about going north and still go to 469 if you are using any kind of trucking. I am a little confused because if you are talking population, yes, it will move a lot of people. I grew up in that area before Maplecrest even went to Lake. It is definitely an area that will see a lot of traffic flow. I have talked to businesses in New Haven that will probably be adversely affected because this is going to take traffic out of downtown New Haven. It is really going to shift a lot of traffic from downtown New Haven. There is some reverse economic impact going on as well. I don't know if the study is going to address any of that.

Linda Bloom: That happens in a lot of projects. Look at 24 East that we are doing in Fort to Port. Look at the different direction of traffic. That always happens when you relocate.

Darren Vogt: Sure. You are talking about the heart of a city. It is a little different...

Linda Bloom: We certainly have their Mayor and Council on board.

Paul Moss: Councilman Miller?

Bill Brown: Could I respond before you, regarding the bridge?

Cal Miller: Sure.

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Bill Brown: I think this is a correlation but if you look at the two overpasses on Fort to Port, those were added at \$40 million. I don't know how long those are as far as miles. I was frankly amazed.

Paula Hughes: Two bridges.

Linda Bloom: Two interchanges.

Bill Brown: I think that is a big part of this. Things are just so expensive.

Paul Moss: It is economic development for the construction companies then. Those numbers outpace inflation dramatically. Councilman Miller has the floor.

Cal Miller: Ultimately, how is this decision going to be made? I think there is some price that is too high to pay even if it was to have the economic impact that we hope it will have. For me, I would like to know what is too expensive. \$54 million seems very expensive for 1.5 miles of road. What is the decision making...

Paul Moss: Another way to look at it is, what is the threshold and what do you need in the economic impact study to convince you that the current price tag is worth it?

Bill Brown: With Chris taking notes, we want to make sure that we are getting your questions incorporated in the study so that we can answer those questions. I think we could ask what is the rationale that the State used to add \$40 million to Fort to Port. What value-add were those two overpasses? Not to say that it weighs real heavy but what thinking is used on this broad...

Paul Moss: There is so much to that, Bill. There are political issues and we could...

Cal Miller: I want to interject what I got to say a couple of meetings ago. Two wrongs do not make a right. If they put them in there and they weren't justified, it doesn't give us any greater reason to spend \$54 million if we can't justify that expense. But, if there was sound rationale that followed, it should be a part of our equation as well.

Bill Brown: My point with mentioning that is that it goes towards what has been spent. If it was for reasons, I would just like to have a discovery. They are similar assets.

Paul Moss: I think we are all open to that. Councilman Vogt has been waiting to speak.

Darren Vogt: I go back to what this Council has tried to instill and that is that we are all saying that this is a very expensive project. This Council has looked at ways to reduce the cost of whatever piece of government we are looking at. Maybe that is the thing that we are looking at incorrectly. What can we do to reduce the cost? If that

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means, and I will go back to my point of working with the railroad to move the switching station, if that is a real possibility then this project may be able to go through and still have the economic impact and still do what it needs to do and satisfy the economic development piece and still have a smaller price tag. We don't want to take the eye off the ball of that particular piece of it as well. It is a big, big, expensive project.

Nelson Peters: Council, let me say this in response to Councilman Miller's question of what is the threshold. This is just me speaking. I think we are close to there. If we don't have the money to fund the project then we can't make the project go ahead. If it gets to \$54 million and we can't hit that \$54 million, the project is dead. Having said that, and you hit on it briefly, you need to look at the safety issues. There are cars hitting trains and things like that. There are public safety issues. There are ambulances that can not get to where they need to get to and fire trucks not getting there as quickly as they need to. There are inconvenience factors that I think plays a huge role. And as much as anything, there is the economic development piece. We are not able to quantify those today. If we had a study that says in doing that convenience represents X number of dollars and safety represents X number of dollars, economic development and so on and so forth. We have a study that says we have concluded that says increasing and enhancing the quality of life in this community, on all four levels, necessitates having this project go forward then we need to scramble to see if we can get more federal dollars. If, and only if, the benefits can outweigh the cost then that is what remains to be answered.

Paul Moss: It is always difficult to answer that definitively. Councilman Buskirk?

Roy Buskirk: Probably about four or five years ago, I was out at the INDOT District Office. We were having a meeting concerning Fort to Port. This was way down on the State's list, as far as projects to be done. It was brought to the State's attention of the percentage of trucks and the percentage of cars that traveled that road and the safety issues of it. At that time, it made no difference between a truck and a car. It was just vehicles. When they took into consideration the truck traffic, it went up the list considerably for the projects to be done. In answer to your question, Commissioner Brown, as far as adding the additional interchanges, there are two reasons for that. Number one was safety because they had data that they looked at and number two is political. I am not sure which was first.

Paul Moss: One of the questions that I have is it assumed that from Lake Avenue to State Street, that section will be four-laned? And will it be a truck route?

Linda Bloom: From Lake to Adams Center.

Paula Hughes: He is talking about going north.

Linda Bloom: I don't know. I have never heard that in the plans.

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Paul Moss: It said it in this book here.

Linda Bloom: I know but I didn't write this book.

Paul Moss: Well, I would hope that you had some opportunity to review it.

Linda Bloom: Every time I review it, it has changed.

Paul Moss: Then I will ask the gentleman who wrote it then. Is it your understanding, from Lake Avenue to State Street that it is going to be four lanes and a truck route?

Chris Cloud: The designation of a truck route has to be made by City of Fort Wayne or the City of New Haven. Allen County has no say over what is a truck route and what is not. In my reading over the engineering proposal, it would be four lanes from Lake on south.

Paul Moss: So there won't be much construction, if any, on that section of road.

Chris Cloud: One of the early engineering reports said that the four lanes would be at Lake and Maplecrest.

Paul Moss: So is Lake then considered the major artery and things will start going east and west and it is not expected that there will be significant impact from a traffic standpoint between Lake and State?

Chris Cloud: That is a question that the Highway Department would have to answer.

Darren Vogt: That would be a major impact in that area.

Paul Moss: That is what I am getting at.

Darren Vogt: I seriously doubt that it would be considered a truck route because there is a school between Monarch Drive and State Street. There is a four-way stop at Monarch and Maplecrest and that is all residential through there.

Paul Moss: But somebody, I would hope, at \$55 million has thought that through. We can't get an answer on that?

Darren Vogt: I will tell you that Lake Avenue better be repaved and widened because it is a very poorly constructed road with trees lining it. To your point, I don't think it has been thought all the way through by the City of Fort Wayne.

Nelson Peters: It may have. We just don't have the answer right now.

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Roy Buskirk: With the members of City Council that I have talked to, they are not looking at it very favorable as far as making it a truck route.

Bill Brown: To kind of step back here a little, this is a project that has been around for quite a while. This year, as the costs are ramping up, are we going to do this project or not? I think this is why these discussions are taking place. This is the second time we have met publicly. In my mind, these are great questions but it is all part of the process. This is a significant amount of money and we need to be doing it for the right reasons. I guess I appreciate the opportunity to have this discovery process.

Paul Moss: Don't think that we don't appreciate that. We absolutely appreciate that and the information that was provided. We appreciate you being willing to come here and take some difficult questions. For me, I have a pretty strong belief that the public appetite for projects such as this, there is a project in downtown Fort Wayne that I do believe is an important project but I also believe that it is somewhat based on some questionable data and so it is a little bit of a roll of the dice. There could be a substantial taxpayer burden as a result of that. I think that the appetite for additional tax burdens, through bonding and things of that nature, is fairly low right now. All that means is that it just needs more scrutiny. I am not saying that you are afraid of that but I think we need to be charged with scrutinizing these types of projects as much as possible.

Cal Miller: What is the timetable for deciding this issue? I know you are getting a study and it won't be done in three weeks so you will probably be coming back in May?

Nelson Peters: We would like to have this ready to go by the end of June.

Darren Vogt: If it doesn't go by the end of June, then it would have to go before a referendum. Is that not correct?

Linda Bloom: We are thinking not. Road and bridge projects do not.

Paula Hughes: That is true. They are exempted.

Linda Bloom: They are exempted. Yes they are.

Bill Brown: What I would hope is that we are basically talking seven weeks. If we can get the study back in time and we can make a decision on our end, then we can bring it to you and hopefully get the information to you early enough. Then we can get a discussion and a vote. We can decide whether we are going to do it or not.

Nelson Peters: I think that is appropriate.

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Linda Bloom: The thing that I think we need to clarify is the transportation bill which is every four to six years. That is federal money. George W held it because the Senate and Congress couldn't agree. That is where we got the first large earmark. Yearly appropriations are not earmarks. The earmarks, when we first started this, we thought there was a deadline as to when you had to start spending it. Earmarks sit there until you need them. Yearly appropriations, which we haven't had yet, are the ones you have to start before three years. The money we have is secure.

Cal Miller: Which part are you talking about?

Roy Buskirk: The \$8.8 million.

Paul Moss: But the remaining money that we want is not secure because there is considerably more focus on earmarks.

Linda Bloom: But there are no earmarks this year. There are no earmarks next year. This fall, we will start talking about earmarks in DC. That is because that only happens every four to six years. Yearly appropriations, earmark is the wrong terminology. For 2009, it wouldn't be an earmark, it would be an appropriation. I have chatted with Souder, Lugar and Bayh's office. The paperwork was filed with them. When we started this project four years ago and trying to get the monies to start this, we were told that because we got the largest earmark, in the last transportation bill in Indiana, that yearly appropriations would automatically come. They haven't. They are very aware that we haven't gone forward with this, as I have talked to them. They are all communicating with each other. The federal lobbyist was a must again because we can't be there all the time to do this. I can't talk to them all the time. I don't think the larger amount of money will come this year.

Paul Moss: So, is it safe to assume that the feds have done a thorough examination of this project and they believe it is needed?

Linda Bloom: Extremely. Souder is the one.

Paul Moss: Could we get a copy of that report?

Linda Bloom: Absolutely. Souder is one that started this with me four years or so ago.

Paul Moss: That was a serious question. Is there some sort of a report?

Linda Bloom: Yes.

Paul Moss: I am stunned by your answer but there is...

Linda Bloom: No, we have a report. Souder did it for World Headquarters for Do It Best. At that particular time, when you were suggesting that the railroad be put in a

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different location, that was all directed at the time. That is the cost of this project, the bridges. A lot of it is because of a traffic problem, tardiness and safety and all of those streets in there. We are buying 42 parcels and six properties.

Paul Moss: I want to get beyond this as much as everybody else does.

Linda Bloom: I know, I know.

Paul Moss: I really am stunned that there is some sort of federal study.

Linda Bloom: I didn't say federal study. I have documentation from Souder, Luger and Bayh suggesting that this is a worthwhile project and they are interested in participating.

Paul Moss: Let's drill down a little on that.

Linda Bloom: Okay.

Paul Moss: I suspect that what probably occurred is a lobbyist or you or somebody said "We need this money" and they have said they would give us that money. What I would hope, because it all comes out of the same pocket that the federal government would do some due diligence before they say they are going to earmark or appropriate \$8 million or \$9 million for a project like this. Is there anything like that or is it just that you hire a lobbyist and that is how the system works?

Linda Bloom: No. It isn't because of the lobbyist. They have all seen the plans for this. They have seen engineering plans for the Maplecrest project.

Paul Moss: So they look at the engineering plans...

Linda Bloom: You bet they do.

Paul Moss: and based on that, they believe there is a justification and economic impact...

Linda Bloom: Yes.

Paul Moss: and they just know, by looking at the engineering plans, that there is enough of an economic impact to justify this type of expenditure.

Linda Bloom: Those three men that I suggested are the ones looking. They have transportation people in their offices.

Paul Moss: Okay.

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Darren Vogt: Linda, since you seem to be the federal person on task on this, when do you anticipate receiving an earmark for the other \$8 million?

Cal Miller: It wouldn't be an earmark.

Roy Buskirk: No.

Cal Miller: Appropriation.

Linda Bloom: This is an appropriation. Only the transportation money, which is every four to six years, are earmarks. Those are extremely important. There is no time and they have to be spent.

Darren Vogt: That is what I was trying to drill down to. You are asking for \$8 million in the normal yearly cycle of funds and not the way we got it before.

Linda Bloom: An appropriation. We haven't asked for an earmark yet.

Darren Vogt: Right. So, I go back to Plan B is if we don't get that, what do we do?

Cal Miller: And when would we know when we would get it?

Bill Brown: That is a good question.

Darren Vogt: That is the critical piece of the funding. That is \$8 million. It is more than 10% and we have to figure out...

Nelson Peters: So, you cut back or you don't do it.

Darren Vogt: But the toothpaste is going to be out of the tube, to borrow another phrase. We spent this much more on engineering and we have bought a bunch of properties and done XY and Z and...

Roy Buskirk: They are buying properties now.

Bill Brown: I think we do need to remember...

Linda Bloom: We've bought nine properties.

Roy Buskirk: Right-of-way is being bought now.

Bill Brown: when I came into office, I thought this was a project...

Linda Bloom: That was going on.

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Bill Brown: that was going to happen. The price has gone up to the point that now we are at the critical stage and now we have to decide if we are going to do it. I think the fact that we have been working, as a County for years, to put this together, we can't go back. The toothpaste really isn't out of the tube yet. We have spent money to move forward in this thing but I guess some of it is out. Now we are going to have to spend a little more money to do the impact study and incorporate your questions into it. One thing I want to mention is that I know a couple of times this Council has talked about federal dollars and it coming out of the same pocket, we have to remember that the federal dollars that we bring back are federal dollars from hundreds of millions of taxpayers. I want to make sure that I am not reading you wrong. You are not saying "Don't bring federal dollars into Allen County" to offset costs for the taxpayers...

Paula Hughes: If I may, I am going to interrupt for a minute. We will be here forever if you get into a philosophical debate with Councilman Moss or Councilman Vogt on the spending of federal transportation dollars. We have had that conversation.

Paul Moss: Well.

Bill Brown: I am just curious what the body thinks.

Linda Bloom: You are right, Paula.

Paula Hughes: We have covered that ground.

Paul Moss: That's fine.

Bill Brown: Are you saying no or yes?

Paul Moss: No, no and let me...

Bill Brown: Bring federal dollars into the County or not?

Paul Moss: I see nothing wrong with bringing federal dollars into the County. What I was trying, in apparently too elaborate way, was to ask a question and illustrate a point at the same time. If the federal government and I have to assume that the approval of that money was based on the engineering plans...

Linda Bloom: Yes.

Paul Moss: if that is the case, I am a little bit stunned by that. I apologize for that. It is unfortunate and I think it is poor policy. There needs to be a justification beyond engineering plans to spend taxpayer dollars, whether it is federal, state or local. That is the point I was making.

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Bill Brown: Just to make a finer point, in my opinion, we need to take all of the federal dollars we can into the County.

Darren Vogt: I want to clarify my position because I don't ever want to hear my position stated by anyone but me. For good projects, I have no problem taking in federal funds. If they are good, justified and bona fide projects that we should do as a community then that is absolutely no problem whatsoever.

Paul Moss: I think we are all in agreement then that we have talked about this enough.

Cal Miller: But one thing I don't think we have talked about enough or underscored again, is what are we going to do if we don't get the \$8 million?

Bill Brown: That is part of the information that we are going to get for you. Hopefully within six weeks.

Darren Vogt: Why is the timeframe six weeks? To not put pressure on ourselves and get the information right and do what is right...

Bill Brown: They are saying four to six weeks to do the impact study.

Darren Vogt: and to my point, if we don't have to worry about bonding for it and falls outside the new legislation, let's take our time and get it right. Let's answer all of the questions and make sure that the decision is justified versus getting it rushed through.

Linda Bloom: And the money that is coming in, the prices are going up.

Darren Vogt: I am not talking about years. I am talking about a week or a month.

Bill Brown: With the four to six weeks, I am comfortable that this is enough time. We'll vote and then you can vote and say if we will do it or not.

Darren Vogt: Don't disagree.

Cal Miller: What is the timing of learning...

Linda Bloom: I don't know.

Cal Miller: if you are successful in getting the appropriation?

Linda Bloom: I don't know. It will be this year but I don't know.

Bill Brown: That is the one missing link.

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Darren Vogt: That means that we need to know what Plan B is. If Plan B isn't acceptable, then you are right and this may get shelved until we know what we have from a federal funding standpoint.

Bill Brown: Good point.

Paul Moss: Okay.

Roy Buskirk: On the information on Major Bridge, I wanted to ask the question as far as Maplecrest Road South Extension, that is this project, correct? Okay. Since 2001, we have spent a substantial amount of County money on engineering, acquisition and...

Linda Bloom: Yes we have.

Paul Moss: So the engineers are pretty happy, at this point. We just have to figure out our part.

Bill Brown: There are just certain things that you have to do.

Paul Moss: We appreciate your bearing with us.

Nelson Peters: Thank you.

Linda Bloom: This is all new info that you requested and this is good.

Paul Moss: Okay, we are at the Auditor's Office request for GASB 45 Valuation.

Lisa Blosser: GASB, the Governmental Accounting Standards Board, has passed some new financial reporting requirements for all State and Local governments. Under the new accrual disclosures, the cost of retiree benefits is treated as current compensation and an expense during the employee's active career. We have new disclosure that we have to report on our annual reports. We need to hire actuarial services to complete this work for us. We received three quotes and decided to go with Alliance Benefits Group. They can complete this work for us for \$6,500.

Darren Vogt: Will this be an ongoing expense or a one-time deal to get you where you need to be?

Lisa Blosser: It is an annual reporting that we will have to do.

Tera Klutz: An annual or every other year.

Paul Moss: Are there any questions from Council on this?

Darren Vogt: So what do you need from us?

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Lisa Blosser: You have monies set aside in your contractual services appropriation. I am just asking for permission to spend \$6,500 to hire this actuarial firm.

Darren Vogt: Because we have it in our budget.

Lisa Blosser: Right. It is a countywide expense.

Paula Hughes: Move for approval of \$6,500 in expense from Council's contractual services.

Darren Vogt: Second.

Paul Moss: We have a motion and a second. All in favor please signify by saying aye. All opposed same sign. The motion carries 7-0. Next is the tax accounting system update.

Lisa Blosser: This is really positive financial news.

Ed Steenman: I am Ed Steenman, County IT Director. At the last Council meeting, there was a brief discussion as to where we are on the tax accounting system. I bring you good news on the functionality front and the financial front. The tax accounting system that we ventured into nearly a year ago is now on the air as of about four weeks ago. It has been successful in implementing the main part of the system. The goal, when we set out, was to be able to print tax bills this spring with that system. We had to be able to do that and we can do that if we were at a point where we were going to print tax bills on their normal cycle this year. We are very happy to report that. From a financial standpoint, when we started this project, we had an initial estimate of just north of \$1.2 million. After we got started, a little bit, we revised that estimate down to just a little over \$1.1 million. To date, we have spent \$887,730. That does include just about everything we have in the project. There might be some minor dollars yet to be spent but the project, for all intents and purposes, is about done. That leaves us with just under \$220,000. We feel very good about that. There is a lot of diligence that went into this project. We made use of things that we already had and had planned that we would have to buy. That is how we saved money.

Cal Miller: Excellent.

Paula Hughes: If I could, I have had conversations and one of my thoughts, as we are going through this, is that this money rests in your budget. Is that correct?

Ed Steenman: Part of it is in the Technology Fund and part has been spent out of the Auditor's contractual.

Paula Hughes: I just think that maybe, because we know that we have the JTAC project coming up, the courts' conversion project, it might be good for us to earmark any money that is left over for this project towards that next project. They are both

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technology projects that are intended to greatly improve efficiencies and they cross multiple departments.

Cal Miller: Thanks a lot for your great work on that and to the Auditor's Office as well.

Ed Steenman: It was very much a joint effort between the Auditor's Office, the Treasurer's Office, the Assessor's Office and IT.

Lisa Blosser: Especially credit to the IT Department, we had a Technical Analyst and Project Manager working on this implementation. We have hired IT people that could help us. It brought this project in under budget. Our Project Manager worked with so many different vendors and kept us on a timeline. We wouldn't be here, under budget, without your help, Ed. Thank you very much.

Paul Moss: There is a salary ordinance for Information Technology. Do you want to explain the transfer real quick?

Ed Steenman: At the last Council meeting, you approved a salary ordinance for a new position, Technical Analyst. Since that time, we did a candidate search and attempted to hire a candidate. We received 28 applications for that position. The most qualified person, we can't hire for the original salary ordinance. We requested an amended salary ordinance and it was approved by the Personnel Committee, last week, to raise that salary to \$51,500. The transfer is from the contractual line item into the salary line.

Paula Hughes: We are also converting this from a grid position to a Special Occupation.

Paul Moss: As per the Personnel Committee's recommendation?

Paula Hughes: Yes.

Roy Buskirk: It is one of these positions that is very hard to fit into a grid system. The individual that agreed to be retained is involved with the tax accounting system.

Lisa Blosser: And he did an outstanding job.

Ed Steenman: He has been an integral part of saving the \$220,000.

Darren Vogt: Motion to move from contractual, \$4,772 to Technical Analyst, FICA and PERF.

Roy Buskirk: Second.

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Paul Moss: We have a motion and a second. All in favor please signify by saying aye. All opposed same sign. The motion carries 7-0.

Darren Vogt: Move for salary ordinance in the Allen County IT Department, Technical Analyst, Special Occupation, \$51,500.

Paula Hughes: Second.

Paul Moss: We have a motion and a second. All in favor please signify by saying aye. All opposed same sign. The motion carries 7-0. We do have another salary ordinance for the Recorder's Office. They have been waiting patiently back there.

John McGauley: For the record, my name is John McGauley, the Allen County Recorder and with me is Anita Mather, my Chief Deputy. About a year ago, we came to you begin a process to begin implementing the Land Records Search system in our office. At the time, we indicated to you that we could go down one or two positions, over time, because of the efficiencies that the system would bring with it. What we are here today asking for is the approval of an amended salary ordinance reclassifying two positions in our office from OSS 2 to OSS 3. Because we are able to eliminate 1.75 positions, one full-time that we are going to eliminate July 1st due to retirement, and three-quarters of a contract position that we pay for through ACS to help us support systems. The position that we are going to eliminate is Administrator. There are a number of key functions that come along with that position that we would redistribute to the employees of the positions that we have asked for. These were approved last week by the Personnel Committee. We are looking at annualized savings of approximately \$87,700 and a resulting increase of the reclassifications of about \$4,000.

Cal Miller: Wow, two amazing reports, in a row.

Paula Hughes: The one comment from Personnel Committee surrounded the fact that the positions that are being eliminated are currently paid out of the Recorder's Perpetuation Fund and the positions that are being increased are paid out of the General Fund. The Recorder has agreed that there have been some fluctuations due to the fluctuations in the housing market, of the revenue coming in. They want to get a little further through this year before they fully commit, but by budget time, they will give us a report of the ability to transfer one or both of these positions back onto the Perpetuation Fund.

Paul Moss: Are there any other questions or comments from Council?

Darren Vogt: Move to approve the salary ordinance amended for paying an employee in the Allen County Recorder's Office, Data Research Clerk, 13-74 from OSS 2/2 to OSS 3/2 with annual salary of \$26,452. Then we also have a motion for approval of a salary ordinance for paying an employee in the Allen County Recorder's Office, Data Research Clerk, 13-73 from OSS 2/2 to OSS 3/2 with an annual salary of \$26,452.

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Paula Hughes: Second.

Paul Moss: We have a motion and a second. All in favor please signify by saying aye. All opposed same sign. The motion carries 7-0.

John McGauley: If you are in the mood for additional positive news, we made operational, this week, the final piece of the system that we implemented last year. This allows us to do electronic recording. We began taking documents this week from customers that never left their office and never walked into ours.

Paul Moss: Thank you. You have done a great job. We have a Personnel Committee report here. There is probably not much to report other than the Exec compensation.

Paula Hughes: Merit compensation.

Paul Moss: I am sorry, merit compensation.

Brian Dumford: Hello, I am Brian Dumford, Human Resources Director. On my right is Commissioner Peters. I am going to give you a report on the merit compensation system and I have extra copies for you. What we have provided to you was long in coming and I think we are very happy that it is here. We are here to discuss the pilot program for merit compensation for employees in Allen County. Basically we are looking to tie performance to compensation and compensation rewards based on that performance. This has been the discussion surrounding Exec employees. We have identified positions within the County that we think are appropriate for this pilot program. Those positions are of those appointed by an authority, elected officials, boards and commissions. What this program will do has several benefits. It compels the appointing authority to provide appropriate performance evaluations for benchmarking an evaluation. It also allows the appointing authority the flexibility in the administration of salaries for these positions. It gives them flexibility to recruit and retain high quality individuals in key leadership roles. With this, we have developed several pay ranges to accommodate this flexibility and was provided in your binder. We are starting this pilot program with a small number of employees surrounding yearend bonuses based on performance during the previous year. Today, we are here to gain you approval on this concept and briefly discuss how this program will work.

Paul Moss: I am going to assume that everybody has taken an opportunity to look at this. We discussed this, at length, in the Personnel Committee meeting. Does anyone have any questions about this?

Paula Hughes: I would like to elaborate a little bit on what Brian has said. We have had ongoing conversations about our inability to be flexible both in hiring and rewarding employees. In my mind, piloting a program with this classification of employees is particularly appropriate because we have struggled with how to grid or not grid or reward or not reward these employees. Every employee that is in this

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pilot program is not on the grid and hasn't received the benefit of step increases. We have been struggling with how to address that issue. Also, it gives a lot more flexibility in hiring. Just today, we approved a Special Occupation for a Technical Analyst because we could not hire the right person for the job at the pay range that was indicated by a grid position. We would like to get away from those kinds of approvals. Personnel Committee has talked about that at length. Third is the ability for departments to reward key employees and encourage them to continue their outstanding performance. It would also require department heads to have a very thorough evaluation system before that reward is given. I think it is a good plan.

Cal Miller: Who are the pilots? I looked at this yesterday and I don't know that it was clear to me.

Brian Dumford: I emailed a new list.

Roy Buskirk: When did that come?

Brian Dumford: I think it was Monday.

Cal Miller: So it is not part of the binder that we received?

Paula Hughes: There was a preliminary list in the binder.

Brian Dumford: It should have been in the binder. I have an updated copy for you Cal.

Paul Moss: Essentially, there was a list of people. It wasn't a very large list and some of those people dropped off per the recommendation and agreement of the Personnel Committee. Other than that, I think what we need to focus on is if this is something that we are comfortable with. Brian has put a lot of effort into developing this so I would be interested in hearing comments. Councilman Vogt?

Darren Vogt: Two points. Does this address executive pay?

Brian Dumford: No.

Paula Hughes: It does and it doesn't. It addresses it because it creates a range of executive pay for the people in the pilot program. There are still people who are executive that are not in this program.

Darren Vogt: Right and one of the original, 2004 things, that we were trying to do was evaluate executive pay. I am not sure that this isn't putting that...

Nelson Peters: Council, this will be a part of that process. Mr. Dumford should probably appear before you again in May or June with the specific salaries in which to begin those executive pay evaluations.

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Roy Buskirk: I agree with you exactly. To me, the merit compensation system is a separate issue. Pay is the first issue that we want to address.

Cal Miller: Will the executive pay fall within the minimum and maximum ranges that were proposed on the merit schedule?

Roy Buskirk: We need to do some work on that. Most of them will but there are still some more adjustments that need to be done. Some of the cities that we were pulling information from are a lot higher on cost-of-living than what you have in this area. Most of those numbers were the high end of the range. On this program, there really isn't anything that indicates the benefits.

Brian Dumford: In the implementation, once that we agree conceptually that we want to go towards this, the first step of the implementation plan is to evaluate the current salaries of the people in the pilot program. I will compare the data with the two different consultants that we have, the online services that I am using and any local surveys that we have available. Then I would propose a salary, meet with the appointing authorities and discuss it with them. Then there would be an appeal process that we need to have and then come back to Personnel Committee and County Council with final recommendations on base salaries. This would be for the May meeting. And this would address what we are trying to get at, is the base salary correct? That would be before we even begin discussing the bonus program.

Darren Vogt: Is that only for the pilot folks or is that across the board?

Brian Dumford: Right now, it is for the pilot folks.

Darren Vogt: Why are we not doing that for everybody?

Paula Hughes: Because we are trying to move forward incrementally. When we talked about executive, we included Elected Officials, Chief Deputies and everybody that was off the grid. My understand was that it was better to move forward with this pilot, a control group, to find out how it works, what are the perks and flaws. And it was a manageable amount of employees. The Personnel Committee vetted this list at least twice.

Darren Vogt: Again, I wasn't there but I guess why, other than it is manageable, is this not impacting the folks who are not on the list.

Paula Hughes: Because we are moving towards the point where we will be able to address them.

Paul Moss: It is an incremental process.

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Roy Buskirk: We have all of the executive positions on the list. Not the Elected Officials but all County executives are on the list.

Darren Vogt: All of the current executives.

Roy Buskirk: Yes.

Cal Miller: This revised list?

Roy Buskirk: Yes.

Brian Dumford: Based on the definition of what this position is going to be, that was figured out.

Paul Moss: You have to go back to the meeting with the definitions.

Darren Vogt: So, that does answer my question. This addresses all of the current executives listed in the current County payroll system.

Lisa Blosser: Except Elected Officials and Chief Deputies.

Roy Buskirk: Which are under a different thing.

Paula Hughes: That is not entirely accurate. We have an entire section of people that are hired by an Elected Official as a Department Head that prefer to keep them off this list. There are employees in the Coliseum that aren't on this list because the Coliseum didn't want them to be.

Nelson Peters: In all likelihood, that is a decision that you will have to make, if they will go on the grid or not.

Roy Buskirk: It is my understanding and we will have to have further discussion on it but the Personnel Committee feels that the people on the grid are the only executives in this county.

Nelson Peters: The people on the list are what you are talking about.

Roy Buskirk: Yes, not on the grid, on the list. That is the reason that it took a considerable amount of time and discussion as far as some positions should be on and some shouldn't be on. That is the reason that it is thirty positions that are considered to be executives in the County. The only exception is the Chief Deputies and Elected Officials.

Nelson Peters: It is important to separate the base salary issue from the merit issue. What we are trying to get agreement on is to proceed with the merit based program. As we proceed with it, that does not preclude some examination of Elected Officials and Chief Deputies. That, in and of itself, is just not part of this pilot project.

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Cal Miller: Do you have any concerns about going with the merit pilot program before the salary is figured?

Nelson Peters: Great question.

Cal Miller: Why wouldn't we do it the other way around?

Nelson Peters: We are kind of doing them in tandem. You can't really take off with the merit program until you have the salary established but we believe we are going to be able to get the salary established more quickly than we can put in all of the other tenets of the program. Those include training and things that we hope, by July, we can actually put into motion. My suspicions are that we will be back in May or June with a request for those salaries and then the program will actually kick off in July.

Roy Buskirk: I agree with both of you gentlemen. To me, the most important thing to have by budget hearings is the pay. The merit can come later.

Cal Miller: On that note, can we calculate a maximum financial impact to the merit program?

Nelson Peters: Yes we can.

Cal Miller: It is a maximum of 5% of their current income, right?

Nelson Peters: We will have those numbers prepared for you.

Darren Vogt: I want to make sure that I understand is that every current executive is either in or out of this list, based on determination by department head and/or Personnel Committee. Is that a correct statement?

Paul Moss: Essentially.

Roy Buskirk: Basically because we never got approval from a couple of department heads.

Darren Vogt: That is really what the bone of contention was that we can't hire quality people. What was the rationale behind not including Chief Deputies? I will disagree that they are paid a percentage. That is all over the board and there is no rhyme or reason to it. Some do and some don't pay a certain percentage. So why not take those folks and put them in?

Brian Dumford: There was not consensus as to how a Chief Deputy should be paid. That is why we are trying to pilot this program with these individuals to get our feet wet to see how it works. Then we can learn from that as to how Chief Deputies

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should be paid. We have not been able to come to a consensus as the unique thing to County government.

Darren Vogt: I do have a couple of questions on page 11. It talks about adhering to the handbook. I would like to hear some discussion as to why department heads, appointed by elected officials, don't have to adhere to any kind of handbook, as well as Chief Deputies on that.

Brian Dumford: The HR perspective on that is that there needs to be flexibility for these employees. They are the top-level, confidential, supervisory employees that are called upon to do more than a regular employee. They are generally here when the work needs to get done. The paid time off issue, at least from the Commissioners' perspective, we are encouraged to model those paid time off policies.

Cal Miller: What does that mean, to model the policies?

Brian Dumford: To not take more time off than what is allotted to the rest of the employees, to follow the tenets of the handbook, in spirit and in modeling, without having to have the rigid structure of punching a time clock.

Darren Vogt: Is it just time clock oriented or is there a way to modify sections of the handbook? There might be sections of the handbook that would be beneficial for them to fall under?

Brian Dumford: That would be a policy issue for the Commissioners to discuss. One thing that department heads and Chief Deputies do not have the benefit of is the due process rights. An employee, under the handbook would have those rights. Progressive discipline process and grievance process, pre-deprivation and grievance hearing are part of those covered by the handbook. If they don't like me, I am gone.

Darren Vogt: From a non-HR person, that is why I am asking these questions. I don't really understand why you would not have them a part of that.

Paula Hughes: Isn't it also partially how they are hired? Those that have Chief Deputies make the appointments and they don't go through the formal HR process.

Paul Moss: We all are pretty much at-will employees.

Brian Dumford: We grant those rights to employees. We have to go through that for those folks.

Cal Miller: What is it that we are trying to accomplish today? Is it an actual adopting of this?

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Nelson Peters: We really just want your approval to move forward with this philosophy with the program that has been established by Mr. Dumford and the HR Department.

Cal Miller: What are your thoughts on it, Commissioner Peters? Are you in favor of this?

Nelson Peters: Absolutely. We attempted this back, and I hate to go back this far, in 1987 and it met with some success but there simply wasn't the follow-up at the time and there weren't the types of people in place, at the time, that we have now. I am fully convinced that if we look at it for just the 30 employees, it will prove successful and will allow us to come back and ask for it to be expanded to other employees.

Cal Miller: This is a situation where we haven't calculated the financial impact, right? If for some reason all of the execs were approved to have a five percent increase, we don't have that number together yet, do we?

Nelson Peters: There are two schools of thought on that. One is yes, that has been calculated in as much as the message that I heard from the Personnel Committee was that departments would have to operate in their own budgets. The other school of thought is that if there were an allocation of funds, from the County Council, then there would be an appreciable budgetary impact.

Cal Miller: So that is something that needs to be discussed, on the funding stream for that, at the next budget session. Is that how this is going to work?

Paula Hughes: Are you talking about for the bonuses?

Cal Miller: Yes.

Paula Hughes: We talked about allocating in much the say we set aside money for the step increases.

Cal Miller: Countywide or by budget maker?

Paula Hughes: Countywide was the discussion in Personnel but we didn't drill down much further than that. It would have to be apportioned out based on how many execs are in the departments. It will take more definition.

Cal Miller: I see. Commissioner, tapping on your Human Resource experience along with what Brian has shared with us, what are the upsides and the downsides of this? I was pleased to see candid discussions about potential abuses and what safeguards are in place for those. Could you give me your best pitch on this?

Nelson Peters: The upside is truly the accountability and flexibility from the standpoint that employee evaluations will now have to take place. They happen

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sporadically, at best, throughout Allen County government. I think it is a huge tool that Human Resource management provides communication that is necessary to create the type of employees that we want. The flexibility perspective is one that gives department heads an opportunity to reward those employees that are doing a better job for them. The downside is the department head that hasn't been trained as they should have or doesn't have the mindset to want to play the game by the rules. Everybody ends up getting an increase, whether it is deserved or not, simply for the department head's fear of not wanting to tick anybody off.

Cal Miller: As I read the materials that were submitted by the Human Resources Department, the safeguard in place is a final approval is required, of the Human Resource Director. Did I read that correctly? Is that for any merit-based pay? Is there any other oversight?

Nelson Peters: The other oversight is that if, depending on how funding mechanism falls out, a department head exceeds their budgetary allocation, they have to come before this body to justify why they want an increase for a particular employee.

Roy Buskirk: Going another step further with that, Cal, is the fact that not only does the Human Resource Director have to approve it, it has to fall within the range of the pay bands. There are a couple of checks and balances on it.

Cal Miller: It looked like there were.

Roy Buskirk: What you were asking about the exposure of the five percent bonus, there are thirty employees and if you use \$55,000 each, it is like \$1.6 million and the bonus amount would be \$82,500.

Cal Miller: All right, thanks.

Paul Moss: Well again, I think the intent is to try to endorse the concept. Someone could make the motion to that affect. And if they do so, they could desire to make it within the current budget of the respective departments.

Paula Hughes: That is part of the concept, isn't it?

Paul Moss: What we had suggested in Personnel Committee is...

Cal Miller: For this year, anyway.

Paula Hughes: I think it is in the booklet.

Cal Miller: None of these can be granted this year?

Nelson Peters: By the time the training is done, benchmarks will be established by July 1st and it will take a second evaluation around January before the results can be

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measured. Consequently, there would be no bonuses paid out until early January, at the earliest.

Darren Vogt: And when would you anticipate if there are compensation issues that need to be addressed?

Brian Dumford: We would have those salaries to you at least by June for budgeting for next year. It would be my hope that we could address compensation adjustments during this fiscal year.

Cal Miller: When is the plan to add the Chief Deputies? Do you have a timeline for the elected officials?

Paula Hughes: We don't have a firm timeline.

Cal Miller: Any goals?

Roy Buskirk: As soon as possible.

Nelson Peters: Council I think it is fair to allocate some portion for the 2009 budget. I would suspect that before the budget is passed, in September, the work on the Chief Deputies could probably be done at that time. If, in May or June, you allocated a small percentage for those employees, there aren't so many that you are going to miss by much with respect to what you may budget.

Roy Buskirk: A month or so ago, I sent out an email to everybody and I want to get this done this year. The rest of the adjustments for inaccuracies and things of that type has to be done before the budget.

Cal Miller: So, the options here today are a motion that adopts the pilot merit program and suggests a funding source?

Roy Buskirk: How about I just make a motion?

Paul Moss: Give it a shot.

Roy Buskirk: I make a motion that we adopt the merit compensation system as proposed and the funding to be within the departments' budgets. As far as any funding being paid out, it would be in 2009.

Paul Moss: No, would it?

Darren Vogt: Yes.

Nelson Peters: Payout would be in 2009. The payout may come, with a little more work from the Auditor, out of rollover. I wouldn't be getting into the 2009 budget

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yet. I would probably make department heads, if you are going the route you are going, pay that out of any unspent 2008 funds.

Roy Buskirk: Right, but to get this program in position, have the interview and then six months later have the second interview, it would be highly unlikely that it would be in 2008's budget. Even rollover comes back to the Council.

Cal Miller: If we did it that way, that still leaves the Council the ability to, in 2009, budget fund, in addition to the budgetary requests, have a separate funding for the merit raise. I think it leaves us the flexibility to say that you have to do it within your existing budget or there is additional compensation that is allocated for those, per budget maker.

Paula Hughes: Yes.

Cal Miller: So I second your motion.

Paul Moss: **We have a motion and a second. All in favor please signify by saying aye. All opposed same sign. The motion carries 6-0-1 (Kite).**

Nelson Peters: Thank you very much.

Paul Moss: Thank you. I am hoping that concludes our Personnel Committee report.

Roy Buskirk: The only other comment that I was going to make is that some of you asked when the date was for the next Personnel Committee meeting and it is April 8th at 2:00. Hopefully you will be receiving an agenda like you did the last time.

Paul Moss: Any recent and/or upcoming meetings that anyone cares to mention? There is another Local Government Efficiency Study Committee meeting this afternoon at 4:30.

Darren Vogt: Can I make a comment, along that line?

Paul Moss: Go ahead.

Darren Vogt: One of the pieces of legislation that failed this year is the Senate bill that the Commissioners supported and that was consolidating the Commissioners and rearranging their duties and our duties. I have fully explored the previous bill that was passed last year, House Bill 1362, which allowed the consolidation to happen without any more legislation. The process, as I understand it, should be a joint resolution by the two governing bodies. That would mean that if we decided that this was something that would be good to do, from this community standpoint, then we could do it with the Commissioners on our own. Seeing as how the Commissioners lobbied for that bill to pass, I think it would be good for us to have that conversation at some point, but if we chose that this would be the best route to

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go and have a County Executive and change the roles and duties that this Council has, that this could be something that we could do on our own.

Cal Miller: Through a referendum vote.

Darren Vogt: Through a referendum vote, yes. We would have to agree and then it would have to go before the people of the county to understand and adopt that if they want to do that. Seeing as how the Commissioners supported it, we should take a look and see if there is merit to that bill. If there is merit to the bill, then we should move forward on our own and not wait on the State Legislature. They gave us the tool to use and let's do it on our own. I open that up for conversation and if it is something that Council is willing to pursue, I will look into 1362 more.

Paul Moss: Pursuit would be, initially, with the Commissioners. We would be required to pass a resolution and they would have to do the same?

Darren Vogt: That is correct. Similar resolutions, saying the same thing.

Cal Miller: Are you willing to map that out a little bit, of what the structure would look like?

Darren Vogt: I will map it out. I will get with 1362 and make sure that I've got it figured out on what needs to happen. There are timelines that need to happen. If we already agree in principle...

Cal Miller: Then you utilize the framework of the bill, that didn't pass, as sort of the nuts and bolts of what we are trying to accomplish.

Darren Vogt: Correct and then we would vote.

Paul Moss: From a timeline standpoint, are we not beyond the timeline for anything on the ballot for November?

Darren Vogt: I don't know the answer to that.

Paul Moss: East Allen Communities has a meeting Thursday and I believe they are going to be voting on the thing they are doing and whether that will be on the ballot in November.

Tera Klutz: They studied it for a year.

Paul Moss: I know but my point is whether we are beyond the deadline.

Tera Klutz: I think we might be.

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Roy Buskirk: They are going to discuss it Thursday and possibly putting it on the ballot.

Tera Klutz: Right but the commission has been established and studied. Those are guidelines of 1362. They have to have a commission, make a recommendation but it doesn't say that you can forego the one-year study and recommendation process in order to get it on the ballot.

Cal Miller: I would be happy to work with Councilman Vogt and maybe the two of us could map something out.

Paula Hughes: I question whether this is something that can be brought up as part of the ongoing study commission which already has some of those steps in process. The Commissioners have made appointments to and that could be part of the outcome of the existing study commission.

Darren Vogt: But that bill isn't established under 1362. That was part of the original agreement between the two. It was set up outside of 1362.

Paul Moss: I think it would be prudent to have anybody who wants to volunteer to work on that, go ahead and work on it. I will bring it up this afternoon in the meeting. Any other upcoming meetings?

Paula Hughes: I have a handful of things. I met with the County Assessor earlier this week and talked a little about the impact that is going to be coming to her, her department and the township assessors. Stacey O'Day has a good handle on it. She has already started meeting with all of the assessors and has ongoing meetings with the Human Resources Department. Part of the legislation requires that she interview every existing employee in each of the assessors' department. There is an eight page summary of House Bill 1001 and it pertains to assessors and appeals. I would be happy to forward it to you. I will continue to work with her on that process. I do have confidence, from our initial conversation, that she is headed in a good direction. She is going to be modeling the revised structure on what she has already done with the commercial property values by forming a team of people that are working specifically on commercial property values. If you remember last year, in the budget session, we approved that. She will be furthering the team concept throughout all of the assessing. Also, I am a member of an internet subcommittee that is part of the Data Board. We met yesterday and just a couple of quick things. The Commissioners opened up the use of the internet to all of the County employees. Every department would not suffer a per-person charge to access the internet. With that, ACS is going to be generating surf control reports and they will be going out to the departments on a quarterly basis. We talked about revising the existing Commissioners' policy on internet use. There needs to be added language on streaming audio and video. It is the consensus that those eat up the most bandwidth. We talked about a redundant internet connection and it is something that we have talked about for a while. Currently, the County does not have an internet connection.

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We use the City's. There is some concern, with the number of projects that we have that are internet based like tax accounting and JTAC, that we need to have, if not our own stand alone internet, at least a redundant internet connection that backs up the City's. It went down a couple of times last year, in the middle of these conversations. We talked about, as we build this better internet connection, whether or not the County should evaluate going to a web-based fax server. We would be digging into that a little more. We welcome anyone who has any experience in that. We would like to pursue that and see if it is a reasonable option. We have about one hundred dedicated fax lines and at \$20 apiece and per month, that is \$24,000 a year that we are spending just on the fax line connection. That is not mentioning the paper and the hardware and toner. Another follow up, I didn't realize that the Auditor's Office receives, on a monthly basis, the Sheriff's Commissary report. When I started digging into it and asking questions...

Lisa Blosser: It is only twice a year.

Paula Hughes: Just twice a year. Anyway, there is a Commissary report that is being generated. I know, as a Council member, I had never seen it. It is available to all of us and so, if you have questions, it is being reported on a regular basis. That's it.

Paul Moss: Okay, anything else?

Darren Vogt: There has been some information that has been shared today that is actually incorrect. The bridges, if we do not pass them by June 30th, are part of a referendum.

Paula Hughes: I thought it excluded anything going through the Major Bridge Fund.

Darren Vogt: Roads and bridges are not, according to the information that I just got. We need to research that and make sure that we have correct information.

Tera Klutz: We can follow up with you. I have it on my checklist.

Cal Miller: What is so bad about that?

Darren Vogt: There is nothing wrong with it. It is just because I said that you don't necessarily need to worry about it.

Cal Miller: Let the people decide.

Roy Buskirk: I was running that through my head the other day and does it have to be put on there if it is not put on the tax levy? The way this is funded, the bonding would not be put on the tax levy.

Tera Klutz: They plan to pay out of Major Bridge Fund.

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Lisa Blosser: Major Bridge Fund is a property tax fund.

Roy Buskirk: Oh, I am sorry.

Tera Klutz: It would also be included in the levy limits. If the Circuit Breaker is adopted before June 30th, then it would be outside of the caps. If the homeowner pays one percent of their property tax before June 30th, the bridge will go on top of it. After June 30th, it will be included in the cap. With all of that said, referendum is a great process.

Roy Buskirk: That is something very interesting. Most people that are just looking at this, one percent is the max. You will never pay over one percent.

Paul Moss: Any other concerns?

Darren Vogt: Move to waive the second reading on any matter approved today for which it may be deemed necessary for the County Council meeting of March 26, 2008.

Cal Miller: Second.

Paul Moss: We have a motion and a second. All in favor please signify by saying aye. All opposed same sign. The motion carries 6-0-1 (Kite).

Cal Miller: Move to adjourn.

Paula Hughes: Second.

Paul Moss: We have a motion and a second. All in favor please signify by saying aye. All opposed same sign. The motion carries 6-0-1 (Kite). The next meeting will be held on April 17, 2008 at 8:30 am.

There being no further business the meeting was adjourned at 11:58 a.m.