



BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEN

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NELSON PETERS LINDA K. BLOOM THERESE BROWN

MINUTES

Commissioners' Legislative Session

10:00 a.m. Friday, April 24, 2015

Council Chambers Courtroom – Citizens Square

Commissioners Present: Nelson Peters, Therese Brown and Linda Bloom

Others Present:	Mike Green	Commissioners Office
	Chris Cloud	Commissioners Office
	Bill Fishing	County Attorney
	Mark Royse	DPS
	Bill Hartman	Highway
	Bill Etzler	Engineering Resources Inc.
	Roger McNiel	INDOT

Commissioner Peters called the meeting to order at 10:09 AM. Commissioner Peters led the meeting with the Pledge of Allegiance and a moment of silence.

- 1. Approval of the minutes of January 30, March 18, and April 17, 2015.** Commissioner Brown made a motion to approve the minutes of January 30, March 18, and April 17, 2015. Commissioner Bloom seconded the motion. Motion carried 3-0.
- 2. Approval of warranty deed for right-of-way on Lafayette Center Road at Aboite Road.** Mark Royse, DPS, presented this item. He stated that the Redevelopment Commission had dedicated to the Commissioners a portion of right of way along Lafayette Center Road as part of the Stonebridge project. Now that INDOT has moved forward with final engineering they recognize the need for additional right of way. The Redevelopment Commission still has a parcel that is located between the Peever property and Aboite Road which is referred to as lot 3 in Stonebridge. It represents about .194 acres. The Redevelopment Commission as accepted an offer to purchase and at this point that paperwork is going through the process. Part of the process of doing the acquisition is the Commissioners need to accept that property and right of way as well. Commissioner Brown made a motion to approve the of warranty deed for right-of-way on Lafayette Center Road at Aboite Road. Commissioner Bloom seconded the motion. Motion carried 3-0.
- 3. Approval of resolution approving declaratory resolution No. 15-03-17-1 of the Allen County Redevelopment Commission and resolution No. 15-04-23-1 of the Allen County Plan Commission resolution for Dupont Corner Economic Development Area.** Mark Royse, DPS, stated this is the second time this has been through. They started the process over. They needed to include an allocation area within the Declaratory Resolution from the Redevelopment Commission side. Since the original going through last October with the Declaratory Resolution the financing for how the split is going to occur between the City and County on funding that project has been further defined, we included that as part of the amendment to the plan as well. Commissioner Brown made a motion to approve the Approval of resolution approving declaratory resolution No. 15-03-17-1 of the Allen County Redevelopment Commission and resolution No. 15-04-23-1 of the Allen County Plan Commission resolution for Dupont Corner Economic Development Area. Commissioner Bloom seconded the motion. Motion carried 3-0.
- 4. Approval for Change Order # 7 for Coverdale Rd from Airport Expressway to Indianapolis Rd, Project # 03-294. Cost - \$17,096.79 (increase).** Bill Hartman, Highway Director, stated this was a change in subgrade stabilization from lime to cement. It was recommended by the geo technical engineer

for this contract due to the granular nature of the existing soils. Commissioner Bloom made a motion to approve the Change Order # 7 for Coverdale Rd from Airport Expressway to Indianapolis Rd, Project # 03-294. Commissioner Brown seconded the motion. Motion carried 3-0.

5. **Approval of Supplemental Agreement # 4 between the Board of Commissioners and Clark Dietz, Inc. for additional preliminary engineering services for an amendment request for Indiana Department of Natural Resources Construction in a Floodway permit for Auburn Rd Culvert 5039 over Beckett's Run, Project # 00-343. Cost - \$2,500 (increase).** Bill Hartman, Highway Director, stated this was due to the relocation of a fence at the cemetery beside the old church there. Commissioner Bloom made a motion to approve Supplemental Agreement # 4 between the Board of Commissioners and Clark Dietz, Inc. for additional preliminary engineering services for an amendment request for Indiana Department of Natural Resources Construction in a Floodway permit for Auburn Rd Culvert 5039 over Beckett's Run, Project # 00-343. Commissioner Brown seconded the motion. Motion carried 3-0.
6. **Approval for Change Order # 14 for Union Chapel Rd at Auburn Rd, Project # 1300311. Cost - \$43,423.58 (increase).** Bill Hartman, Highway Director, and Roger McNiel from INDOT, presented this item. Bill Hartman stated Roger ran this project and then let him explain the change order. Roger McNiel stated he was the project supervisor on the two roundabouts there. This change order is being put forward due to technicalities. In the past these items were small enough that we really didn't have to put them on a change order. We could just approve them ourselves. INDOT's rules have changed so that now anytime we have additional funding requests it has to be supported by a change order. Instead of just being able to call this miscellaneous overruns which is what we have done in the past, we are enumerating the items that did change significantly. The change order is about \$43,423 but the contract is actually only short about \$22,000. The funding was very screwed up on this job. There are four major funding sources. The main job was in the left column. The second there was an individual item that was 100% county. That was for transporting the signals back to the county barn. There was a water line which was City of Fort Wayne funded. There was an acceleration purchase order added back in 2013 to pay the cost of getting the thing open before winter because we had a delay in starting the job. If you go to the last page you'll see on the bottom line the first part is \$22,910 short. The second part is break even. There is \$1,800 left if the City part. There was \$28,000 not used in the acceleration out of the \$200,000 that was set up for it. So the overall contract isn't over but these individual pieces are and that is where the problem lies. The \$43,000+ on the change order is kind of meaningless. He stated his boss thinks they ought to be able to take the \$28,000 that is left over in the acceleration account and use that to pay for this. That will be the next thing we try to do. He stated if he is unsuccessful in doing that then they will process this \$22,000 request sometime in the future to close it out. They are optimistic they can get it done. Commissioner Brown made a motion to approve Change Order # 14 for Union Chapel Rd at Auburn Rd, Project # 1300311. Cost - \$43,423.58 (increase). Commissioner Bloom seconded the motion. Motion carried 3-0.
7. **Weight Limit Posting and Sign Request for Van Buren Street over the St. Mary's River, Bridge # 337.** Bill Hartman, Highway Director, presented this item. He stated that on April 20th they received load rating analysis report from Engineering Resources that required that we post this bridge at 17 tons. Commissioner Brown made a motion to approve Weight Limit Posting and Sign Request for Van Buren Street over the St. Mary's River, Bridge # 337. Commissioner Bloom seconded the motion. Motion carried 3-0.
8. **Sign Requests – Windover Subdivision**
 - a. **Cedar Wind Court at Windover Trail – Stop sign**
 - b. **Windover Court at Windover Trail – Stop sign**

Commissioner Bloom made a motion to approve sign requests. Commissioner Brown seconded the motion. Motion carried 3-0.

9. **Approval of claims submitted for payment.** Chris Cloud, Executive Assistant, stated this covers the time period from April 17 to April 23. Commissioner Brown made a motion

10. Other Business: Acceptance of warranty deeds on the Lafayette Center Road project. Chris Cloud, Executive Assistant, stated that related to item #2, County Attorney Fishing has more warranty deeds. Attorney Fishing stated this is where they are approving the acceptance of warranty deeds on the Lafayette Center Road project. Included are parcels 45, 50, 51, 54, 57, 58, 63 and 69. There are 57 total parcels and we are at 9. Commissioner Brown made a motion to approve the acceptance of warranty deeds on the Lafayette Center Road project. Commissioner Bloom seconded the motion. Motion carried 3-0.

11. Approval to waive the 2nd Reading on any matter approved today and for which it may be deemed necessary for the Legislative Session of April 24, 2015. Commissioner Brown made a motion to approve waiving the 2nd Reading on any matter approved today and for which it may be deemed necessary for the Legislative Session of April 24, 2015. Commissioner Bloom seconded the motion. Motion carried 3-0.

12. Comments from the Public.

13. Motion to Adjourn. Meeting adjourned at 10:22 a.m.

Allen County does not discriminate because of disability in the admission to, or treatment or employment in, its programs or activities. The Human Resources Director has been designated to coordinate compliance with nondiscrimination requirements contained in Section 35.107 of the Department of Justice regulations. Information concerning the provisions of the Americans with Disabilities Act, and the rights provided therein, and Allen County's ADA policy is available from the ADA Coordinator. Suggestions on how the County can better meet the needs of persons with disabilities may be submitted to the ADA coordinator at: Human Resources Department, 200 East Berry Street, Suite 380, Fort Wayne, IN 46802, or by phone at (260) 449-7217.