



BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEN

Citizens Square Building Suite 410 · 200 E. Berry Street · Fort Wayne, IN 46802

Phone: 260.449.7555 FAX: 260.449.7568

NELSON PETERS LINDA K. BLOOM THERESE BROWN

MINUTES

Commissioners' Legislative Session

10:00 a.m. Friday, October 30, 2015

Council Chambers Courtroom – Citizens Square

Commissioners Present: Nelson Peters, Therese Brown and Linda Bloom

Others Present:	Chris Cloud	Commissioners Office
	Mike Green	Commissioners Office
	Bill Fishing	County Attorney
	Randy Brown	Coliseum
	Janette Jacquay	Human Resources
	Bill Hartman	Highway Department

Commissioner Peters called the meeting to order at 10:07 AM. Commissioner Peters led the meeting with the Pledge of Allegiance and a moment of silence.

- 1. Approval of the minutes of October 16, 2015.** Commissioner Brown made a motion to approve the minutes of October 16, 2015. Commissioner Bloom seconded the motion. Motion carried 3-0.
- 2. Approval of School Resource Officer Agreement between the Board of Commissioners and East Allen County Schools on behalf of the Sheriff's Department.** Chris Cloud, Executive Assistant, presented this item on behalf of the Sheriff's Department. He stated this agreement is the standard resource officer agreement for East Allen County Schools. It mirrors the one from Southwest and Northwest schools. Commissioner Brown made a motion to approve the School Resource Officer Agreement between the Board of Commissioners and East Allen County Schools on behalf of the Sheriff's Department. Commissioner Bloom seconded the motion. Motion carried 3-0.
- 3. Approval of Agreement between the Board of Commissioners and TSE Consulting for consulting services on behalf of Memorial Coliseum.** Randy Brown, Exec VP and General Manager, Coliseum presented this item. He stated this is with TSE Consulting out of Indianapolis. They are actually part of an international company. They are helping us with our upcoming NCAA bid cycle. Right now we have 2 bids we are working on and focused on. One is a division 3 wrestling event and the other is NCAA division 1 women's basketball. This agreement is for a term of November 1, 2015 through July 31, 2016. The fee is \$12,000 and it is a fixed fee. TSE Consulting is working with Visit Fort Wayne and Turnstone to help secure some activities related to Turnstone and the new property there. There was discussion about guarantees and the competition with other communities who are aggressive and put guarantees up to attract events. Randy stated if we are to be successful and fill our facilities, guarantees are just the way it works today. Commissioner Peters asked if there were times when he had let something go because of not having the guarantee, not having that backstop. Randy Brown said absolutely or we weren't comfortable with the ticket sales. With concerts we're putting guarantees up all the time and we've been fortunate that our gambles have paid off. He stated that yesterday there was a major event that we put a guarantee in of \$210,000. Ultimately it was another community (Lima, OH) that essentially voided our bid because it was a radius clause and we lost a major concert not because our guarantee wasn't high enough or the date wasn't available, it was a matter of another market got a commitment from the agent first and had a one year 150 mile radius clause guarantee they wouldn't give us the date. Commissioner Peters asked if Randy could in the foreseeable future put something together to look at that might identify opportunities lost that might identify what that supplement might look like for things Randy believes

really need to be done in this community. That then may allow us, as Commissioner Brown suggested, to go after some of those partnerships that may or may not exist or give us the opportunity to better understand what may have to come out of our own pockets. Randy stated that in their budget they have \$150,000 as seed money for these events. By and large they are partnering with other entities. In the case of the attraction he mentioned, that was a breakeven of about \$300,000. If we didn't sell a single ticket, that would have taken us right up to our maximum limit. It's not realistic that you are going to have a loss that large but at the same time, at the end of the day, we have to make sure that we have the mechanism to pay our bills. We have taken a conservative approach and overall those decisions that have been made moving forward have panned out. But anymore we have to do that with just about everything we are doing. We are consistently ranked as one of the top venues with concert traffic. But now, a \$200,000 guarantee yesterday, and we are not typically talking one of those, we are talking having 2 or 3 of those on the table at the same time. So it's a matter of you hope that you are going to sell tickets so that you don't overextend yourself at the end of the year. Commissioner Brown said that in this day and age, collaboration is extremely important and the data would be helpful to see what past experience has been and getting more of a balance and buy-in from other entities, individuals or organizations to take part of the hit and the cost and be there in the good times and the bad times. Randy stated their conversion rate is 1 in 10 so if they did 10 concerts a year that means they worked on 100 concerts. We need to have a lot of activity in the pipeline to be at that 18-20 concert range that they want to be. On the sporting events and the convention and trade show business too, there is a lot of activity. Anymore everyone is looking for guarantees. Commissioner Brown made a motion to approve the agreement between the Board of Commissioners and TSE Consulting for consulting services on behalf of Memorial Coliseum. Commissioner Bloom seconded the motion. Motion carried 3-0.

4. **Approval of amendment to Exception to Paid Vacation and Personal Time Policies for Recruitment Purposes Policy.** Janette Jacquay, HR Director, presented this item. She stated this policy was created by HR and approved by the Board of Commissioners back in 2008. As we have revisited the policy we have found that it has needed some additional verbiage to clarify the intent of the policy and also to format the policy in the current HR format that one of our HR attorneys has established within the department now. Charity Murphy has taken some time in reviewing the policy, tweaking it some and helping it to be better understandable for department heads. The purpose of the policy is to provide an exemption to the county paid vacation and personal time policies as outlined in the Board of Commissioner's handbook for departments and elected officials and boards that work under our handbook. If an exception to a policy is needed, the policy is really set up to be a recruiting tool. It helps department heads to recruit candidates for employment who may not consider working for county employment because of the potential loss of vested benefits that they already possess with their current employer. Janette said there would be a written request submitted to the HR Director (myself) and then upon review I would present that information to you (Commissioners) and ultimately it would be the Board of Commissioners who would grant such approvals. Commissioner Bloom made a motion to approve the amendment to Exception to Paid Vacation and Personal Time Policies for Recruitment Purposes Policy. Commissioner Brown seconded the motion. Motion carried 3-0.
5. **Approval of Change Order # 11 for Coverdale Rd, Indianapolis Rd to Airport Expressway, INDOT Des # 0500892, Contract # R-31776-A, LPA Project # 03-294. Cost - \$2,986.50 (Increase).** Bill Hartman, Highway Director, stated our portion of the this will be \$597. The project was seeded in the fall of last year and striped in order to get it open. It wasn't quite 100% complete and some of the seed didn't take the best and then the spring rains washed part of it out. This amounted to an additional ½ ton of fertilizer, 160 pounds of seed to thicken up the grass on the project. Commissioner Brown made a motion to approve of Change Order # 11 for Coverdale Rd, Indianapolis Rd to Airport Expressway, INDOT Des # 0500892, Contract # R-31776-A, LPA Project # 03-294. Cost - \$2,986.50 (Increase). Commissioner Bloom seconded the motion. Motion carried 3-0.
6. **Approval of Interlocal Agreements between the Board of Commissioners and the following Towns for Miscellaneous Services and Materials:**
 - a. **Town of Hunterown**
 - b. **Town of Grabill**
 - c. **Town of Monroeville**
 - d. **Town of Zanesville**

Bill Hartman, Highway Director, stated this is for stone, sand, salt, barricades, striping and there is a 1.3 multiplier on all of these. Commissioner Brown made a motion to approve. Commissioner Bloom seconded the motion. Motion carried 3-0.

7. Approval of Bid Awards for Annual Bids for Allen County Highway Department for 2016:

- a. Aggregate**
- b. Bituminous Patching Materials**
- c. Liquid Calcium Magnesium Chloride**

Bill Hartman, Highway Director, stated the aggregate went up an average of 5%, bituminous patching materials increased about 4% and liquid calcium also increased about 4% for next year. Commissioner Bloom made a motion to approve bid awards for Allen County Highway Department for 2016. Commissioner Brown seconded the motion. Motion carried 3-0.

8. Sign Requests – Various locations – Stop signs, requested by Brian Sechler

- a. Timber Ridge Subdivision**
 - i. Old Timber Pass at Gump Rd**
- b. Villas at Whisper Rock Subdivision**
 - i. Andertone Cove at Confide Trail**
- c. Dupont Oaks Blvd Access at Dupont Oaks Blvd**
- d. Milargo Subdivision**
 - i. Maraquita Place at Cordoba Place**
 - ii. Cordoba Place at Milargo Blvd**
 - iii. Montoro Court at Milargo Blvd**
 - iv. Milargo Blvd at Auburn Rd**
- e. Cove of Brooks Crossing Subdivision**
 - i. Crimson Cove at Painted Peak Way**
- f. Talons Reach Subdivision**
 - i. Shavono Cove at Talons Reach Blvd**
 - ii. Kearney Court at Talons Reach Blvd**
 - iii. Talons Reach Blvd at Hathaway Rd**
- g. Ravenswood Subdivision**
 - i. Ironstone Cove at Winding Vine Run**
 - ii. Claret Court at Vinters Way**
- h. Whisper Rock Subdivision**
 - i. Quell Court at Whisper Rock Blvd**
 - ii. Confide Trail at Whisper Rock Blvd**
 - iii. Hush Rock Court at Whisper Rock Blvd**
 - iv. Whisper Rock Blvd at Gump Rd**
- i. Tuscany Subdivision**
 - i. Empoli Court at Pentolina Drive**
 - ii. Lasurvera Court at Perolla Drive**
- j. Canyon Bay Subdivision**
 - i. Canyon Bay Run at Gump Rd**

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

9. Agreement between the Board of Commissioners and H.J. Umbaugh for arbitration rebate services.

County Attorney Fishing stated it is time to do a rebate calculation in the Juvenile bond. This will be our last one. It will be paid off in 3 more years but every 5 years we have to do this to comply with trust indenture. Umbaugh is who we have been using of late and this is their standard contract and their standard fee proposal. The fee is not to exceed \$4,000 and it is an hourly based rate. Commissioner Brown made a motion to approve the Agreement between the Board of Commissioners and H.J. Umbaugh for arbitration rebate services. Commissioner Blooms seconded the motion. Motion carried 3-0.

10. Approval of claims submitted for payment. Commissioner Brown made a motion to approve the claims submitted for payment today in the amount of \$3,426,227.53. Commissioner Bloom seconded the motion. Motion carried 3-0.

11. Other Business:

Easement from Board of Commissioners to the City of Fort Wayne for Sanitary Sewer along Towpath Trail off of Engle Road. Commissioner Brown made a motion to approve granting of the easement. Commissioner Bloom seconded the motion. Motion carried 3-0.

Plat for Approval: Ravenswood Section 5

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

Approval of Independent Contractor Agreement for a Mental Health Assessment Contractor for Community Corrections. Chris Cloud, Executive Assistant, stated one of Community Corrections Mental Health Assessment Contractors is no longer working with them so this is an agreement for a new Contractor, Grant Gerard. These are grant funded and no county dollars go into it. Commissioner Bloom made a motion to approve the Independent Contractor Agreement for a Mental Health Assessment Contractor for Community Corrections. Commissioner Brown seconded the motion. Motion carried 3-0.

12. Approval to waive the 2nd Reading on any matter approved today and for which it may be deemed necessary for the Legislative Session of October 30, 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 October 30, 2015. Commissioner Bloom seconded the motion. Motion carried 3-0.

13. Comments from the Public. Gordon Miller, resident on Lafayette Street, talked about some lights by the library being out and some other concerns he had about crime in the area.

14. Motion to Adjourn. Meeting adjourned at 10:37 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.