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1 STATE OF INDIANA)
)SS:
2 COUNTY OF ALLEN)
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8 BOARD OF COMMISSIONERS
9 OF THE COUNTY OF ALLEN

10 RE: LEGISLATIVE SESSION OF

MARCH 5, 2003

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15
16 DATE: March 5, 2003

17 TIME: 10:05 a.m.

18
19 LOCATION: Room 200
Commissioners Courtroom
20 City-County Building
21 1 East Main Street
22 Fort Wayne, Indiana 46802

REPORTER: Alan R. Bunn

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1 PRESENT:
2 Linda K. Bloom Allen County Commissioner
3 Edwin J. Rousseau Allen County Commissioner
4 Miguel Trevino DLZ
5 John McGauley Allen County Public
Information Department
6
Steve Muldoon
7
Patrick Hess Beckman Lawson, LLP
8
Michael McAlexander Allen County Prosecutor's
9 Office
10 Anthony Burrus Allen Safety & Environmental
Director
11
Don Reitz Department of Planning
12 Services
13 G. William Fishing Allen County Council
14 Paula Hughes Allen County Council
15 Susan Elser Allen County Board of
Commissioners' Office
16
Kevin Leininger News Sentinel
17
Andy Gammill Journal Gazette

18 Michael Fitch Allen County Highway
 19 Department
 20 Lin Wilson Allen County Auditor's
 Office
 21 Larry Banks Allen County Public Library
 22 Alan Bunn Rolf Reporting, Inc.
 23
 24
 25

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12. Approval to waive the 2nd Reading on any
22 matter approved today for which it may be
23 deemed necessary for the Legislative
24 session of March 5, 2003 20
13. Comments from the Public --

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1 ROUSSEAU: Good morning. The Commissioners'
2 Legislative Session, on this day, March 5th, will
3 begin, and we'll first have the approval of the
4 minutes.
5 BLOOM: From February the 26th. So moved.
6 ROUSSEAU: Second. All in favor signify by saying,
7 "Aye."
8 ROUSSEAU: Aye.
9 BLOOM: Aye.
10 ROUSSEAU: We have a rezoning petition. Good
11 morning, Don.
12 REITZ: Good morning.
13 BLOOM: Good morning.
14 ROUSSEAU: It's 1476/03 Petition to rezone property
15 and approve a primary development plan to allow the
16 construction of a Cracker Barrel Restaurant. Three
17 point acres located on the north side of 10400
18 through 10500 blocks of Maysville Road. Present
19 zoning is A-1/Agricultural, and proposed zoning is
20 C-1(P)/Planned Limited Commercial.
21 REITZ: The applicant is proposing to rezone the
22 property to construct a 9,984 square foot Cracker
23 Barrel Restaurant. Access to the site is from an
24 existing frontage road from Meijer Drive, and that's
25 kind of important because of the vacation, which

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1 you're going to be hearing next, is associated with
2 this rezoner. This is a proposal that's similar to
3 most of the other development that has occurred in
4 the Meijer area for the last seven years or so. It's
5 very consistent with the usual shopping center and
6 convenience store type zoning. And at the Public
7 Hearing, there was just a small amount of
8 remonstrance. Mr. and Mrs. Niccum who have,
9 historically, been concerned with how development
10 occurs out there, particularly from the effects that
11 the development will have on traffic, did speak.
12 Otherwise, there was no remonstrance with this
13 proposal. The Plan Commission finds that the C-1(P)/
14 Planned Limited Commercial Zoning Classification is a
15 logical extension of the previous rezonings in the
16 area and the complete development along this section
17 of Maysville Road. As a consequence, it has
18 recommended "do pass" on this proposal.

19 BLOOM: I'll make a motion that we approve Rezoning
20 Petition 1476.
21 ROUSSEAU: I second it. All in favor, signify by
22 saying, "Aye."
23 BLOOM: Aye.
24 ROUSSEAU: Aye. We'll declare it passed. We have a
25 Vacation Petition 362/03, Public Hearing, requested

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1 by Cracker Barrel Old Country Store, Incorporated, to
2 vacate a portion of the existing Indiana Department
3 of Transportation right-of-way used for frontage
4 roadway-local service road.

5 REITZ: As you recall, this is a continuation of the
6 vacation petition that you heard last month. You
7 continued it, primarily because you wanted to wait
8 until rezoning was acted on. It made no sense to
9 look at the vacation if you weren't going to rezone
10 the--

11 BLOOM: Right.

12 REITZ: --Cracker Barrel site.

13 BLOOM: Right.

14 REITZ: There is a frontage road--here's Maysville
15 Road, here. This is the site of the Cracker Barrel.
16 There is--access will be from this INDOT frontage
17 road here. A portion of that frontage road is part
18 of the Cracker Barrel rezoning, or development plan,
19 and because of that, they're requesting that this
20 portion be vacated by the Commissioners.

21 BLOOM: Uh-huh (affirmative).

22 REITZ: You did--you did open the hearing last time
23 and continue it pending a decision on the rezoning.
24 Of course, you just passed the rezoning. You may
25 want to open it up to--

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1 BLOOM: Yeah.

2 ROUSSEAU: No.

3 BLOOM: Thank you.

4 ROUSSEAU: Okay, officially then we will begin the
5 Public Hearing for the Vacation Petition 362, along
6 with the Commissioners and their staff. Don Reitz,
7 Deputy Director of the Department of Planning
8 Services will act as a staff for this morning's
9 Public Hearing on a proposed vacation. According to
10 the Indiana Law, today's Public Hearing may include
11 only those matters which have been advertised. Don,
12 has proper notice been published?

13 REITZ: Yes, sir.

14 ROUSSEAU: This Public Hearing is for the purpose of
15 taking testimony, and the board will discuss the
16 merits of the proposal following the Public Hearing,
17 and under normal circumstances vote to determine the
18 outcome. We do hold the authority to continue our
19 discussion until a later meeting, if we believe that
20 to be in the best interest of the public. And, so we
21 will now open the Public Hearing and we'd like to
22 hear from those who would speak for the vacation of
23 this property.

24 HESS: Good morning, Commissioner--

25 ROUSSEAU: Good morning.

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1 HESS: --Rousseau, Commissioner Bloom.

2 BLOOM: Good morning.

3 HESS: My name's, Patrick Hess. I'm an attorney with
4 Beckman Lawson in Fort Wayne, and we represent
5 Cracker Barrel Old Country Store. You've just
6 approved the rezoning which was recommended to be
7 approved by the Plan Commission last month. The
8 Vacation Petition, I came and talked to you back in
9 January regarding that, and you determined it was

10 best to hold off until the rezoning was approved. I
11 don't know that I can add much more than what Don
12 did, it's--other than to, I guess, reiterate that
13 this is kind of an odd type of vacation in that it's
14 a situation where the State of Indiana actually took
15 title by deed to the right-of-way. So this is really
16 just the first step. We need to have the right-of-
17 way that exists by virtue of that deed vacated, but
18 that does not divest Indiana of title. So, we have
19 to work through the Indiana Department of
20 Transportation, and the local highway department to--
21 to get that taken care of, and we're already doing
22 that. We've had conversations with John Leichty at
23 INDOT, and also his counterparts at the State office
24 in Indianapolis, and they've signed off on it, as has
25 Mike Fitch. And I can provide copies of that

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1 correspondence if that's necessary for you.
2 ROUSSEAU: Okay. Anything else?
3 HESS: No.
4 ROUSSEAU: Do we need--
5 BLOOM: Thank you.
6 ROUSSEAU: --we don't need--do you want to see a copy
7 of the correspondence or not?
8 BLOOM: No, I've been involved in--
9 ROUSSEAU: All right.
10 BLOOM: --this project, so I'm quite familiar and I
11 talked to John Leichty yesterday, from INDOT, who is
12 local here.
13 ROUSSEAU: Okay. Thank you for your offer.
14 HESS: Thank you.
15 ROUSSEAU: Anyone else care to speak for the
16 vacation? (No response). All right, then that being
17 the case, does anyone care to speak against this
18 vacation? (No response). All right, that being
19 case, we will then close the Public Hearing, and we
20 will entertain a motion.
21 BLOOM: I'll make a motion that we accept our portion
22 of the Vacation Petition 362.
23 ROUSSEAU: I second that. All in favor signify by
24 saying, "Aye."
25 BLOOM: Aye.

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1 ROUSSEAU: Aye. And we declare that passed.
2 HESS: Thank you.
3 BLOOM: I think it's really strange that INDOT took a
4 deed on that.
5 HESS: They did that on the Steininger property to
6 the south too, when they had to acquire access road
7 when--to give people access after 469 was built.
8 REITZ: You've been through this once before on the
9 south side of Maysville Road.
10 BLOOM: Thanks.
11 REITZ: Sure.
12 ROUSSEAU: Okay, on item number four, we have an
13 addition to Allen County Code Title 12/Article 81,
14 Check Deception Fund. (Ordinance 3-05-03-10).
15 BLOOM: Good morning.
16 McALEXANDER: Good morning.
17 BLOOM: I won't be as nasty as I was the last time

18 because you have just turned into a great leader by
19 doing what you have done today.
20 McALEXANDER: Well, thank you. I'm Mike McAlexander,
21 Chief Deputy Prosecutor. I'm returning back. We had
22 this discussion, oh, a month or so ago, regarding the
23 Check Deception Fund, and this is a program that
24 we're looking at contracting with a company called
25 American Corrective Counseling Services, that offers

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1 a service both to merchants in the community, as well
2 as to the people that write bad checks too. They
3 will process many of these initially, work at getting
4 the restitution for the merchants out of the blocks.
5 There's a fee that then gets returned to us, or the
6 County, and they also provide classes for people who
7 write bad checks too. It's kind of a consumer credit
8 counseling, kind of an approach--

9 BLOOM: Uh-huh (affirmative).

10 McALEXANDER: --to show them some--give them some
11 tools, so that they don't repeat the mistakes again.
12 So, this is something that we're very interested in.
13 We think it may provide some money, but also more
14 importantly, reduce the number of bad checks, and the
15 people that do write bad checks, that we'll get
16 restitution up front a little faster. So--

17 BLOOM: I'll make a motion that we accept the
18 addition to Allen County Code Title 10/Article 81.

19 ROUSSEAU: Title 12.

20 BLOOM: Title 12.

21 ROUSSEAU: I second it. All in favor signify by
22 saying, "Aye."

23 BLOOM: Aye.

24 ROUSSEAU: Aye. I declare it passed. Thank you,
25 Michael.

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1 McALEXANDER: Thank you very much.
2 BLOOM: Thank you.
3 ROUSSEAU: Approve to retain the services of Sommer
4 Barnard Ackerson for Verizon Tariff.
5 BLOOM: Good morning.
6 FISHERING: Commissioners, my name's Bill Fishing.
7 I'm the County attorney. A number of years ago you
8 hired D&M Communications to watch over your phone
9 services and general telecommunications needs. As
10 part of that they have watched over also, your 911
11 telephone costs. Of late, we have learned that
12 Verizon, who provides our local 911 service, has
13 applied for a tariff from the Indiana Utility
14 Regulatory Commission. That tariff, as applied for,
15 would effectively triple your monthly rent, or line
16 charges, from roughly 23,000 [\$23,000.00] to roughly
17 \$60,000.00 a month. We assembled all the information
18 to review that. This would apply to a number of
19 other small counties, but we are by far the largest
20 county affected by that and have by far the largest
21 financial involvement. We reviewed, like I say, what
22 would need to be done in front the Indiana Regulatory
23 Commission, the people you would need to talk to, and
24 based on that, and discussions with D&M, we are
25 recommending that we hire independent counsel to be

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1 paid for out of the 911 Fund, to represent our
2 community's interest in that significant tariff
3 increase. I shared this information a couple of
4 weeks ago with the City attorney, so he is aware that
5 we are moving in that direction. I do think it is,
6 by far, the best thing that we can do. The cost of
7 911 would just become prohibitive, particularly if
8 there wasn't a significant increase in the fees,
9 which probably could be used anyway, but I hate to
10 see it all wasted just going to Verizon. So, with
11 that, there is a letter before you, I've reviewed it,
12 it is what I would consider a standard engagement
13 letter. I would note that their rates are somewhat
14 higher than our rates, but that's not at all unusual
15 for Indianapolis law firms, and I don't find it to be
16 outside of the ordinary for those kinds of services.
17 So, I would recommend that you all approve the hiring
18 of this law firm and particularly Gretchen Gutman,
19 who you are familiar with, who served as a County
20 financial officer 15 years ago or so and is a very
21 talented person. So, that is my recommendation with
22 this. I would be happy to answer any questions you
23 have.

24 ROUSSEAU: So that--some may want to understand more
25 about it, that is a fee that is collected through the
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1 County process.

2 FISHERING: The 911--

3 ROUSSEAU: The 911 fee and then it is then split,
4 somewhat proportionally among, at this point, the
5 City of Fort Wayne, and New Haven, but it is handled
6 through our office and those funds are shared with
7 the other two municipalities.

8 FISHERING: Who have 911 services--

9 ROUSSEAU: Yeah.

10 FISHERING: --that's correct.

11 ROUSSEAU: The cost of government has gone up, of the
12 need for more security, more knowledge, quicker
13 response, and so forth, has presented itself to us,
14 and the Mayor of the City of Fort Wayne has asked us
15 from time to time if we would consider raising the
16 911 fees as it is allowed by state government to do
17 so. It would look as if what would happen here, is
18 that the Verizon tariff would take every possible
19 dime that might be available and it would be shared
20 only with Verizon, as opposed to being shared with
21 the municipalities that are in charge of making and
22 doing the communications on the issue. So I--

23 FISHERING: Don't hold me to this, but the numbers
24 are roughly--if we increase to the maximum that we
25 would be allowed to impose under the state statute,
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1 if this tariff was approved, over 70% of that
2 increase would go directly to Verizon, so it's a
3 pretty significant tariff request.

4 BLOOM: And the services, that we are retaining, on a
5 contractual basis--

6 FISHERING: Yes.

7 BLOOM: --right?

8 FISHERING: Yes.

9 BLOOM: And how long will this be, that--
10 FISHERING: Until the Indiana Regulatory Commission
11 rules one way or the other on the tariff. My guess
12 is less than six months. It is a hearing before
13 them. Some evidence has already been presented.
14 We've assembled all of that and sent it to Gretchen
15 already so she knew what she would be dealing with--
16 BLOOM: Okay.
17 FISHERING: --when she got into the matter.
18 ROUSSEAU: And we will be paying this--
19 BLOOM: Hourly wage, then--
20 FISHERING: Hourly, it--
21 BLOOM: --contractually.
22 FISHERING: --would be a claim basis out of 911.
23 BLOOM: Okay.
24 ROUSSEAU: Okay. Which we still, at this point, have
25 enough funds--

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1 FISHERING: We have not--
2 ROUSSEAU: --to do so.
3 FISHERING: --disbursed all of the money out of the
4 911, but it will, of necessity, mean that less money
5 is disbursed amongst the three participating units,
6 because some of it--somewhat like we currently pay
7 the 911 fee out of that fund before disbursing. This
8 will add a cost prior to the disbursement of the
9 money to the units.
10 BLOOM: I don't believe I've made a motion to accept
11 this, did I?
12 ELSER: No, you did not.
13 BLOOM: And I'll make an approval to retain the
14 services for the Verizon Tariff.
15 ROUSSEAU: Second that. All in favor signify by
16 saying, "Aye."
17 BLOOM: Aye.
18 ROUSSEAU: Aye.
19 BLOOM: Thank you.
20 FISHERING: Thank you very much.
21 ROUSSEAU: It's declared passed. Thank you very
22 much, Bill. Okay, we need--number six is an Approval
23 of an Environmental Assessment on 925 West Main
24 Street, New Haven, Indiana.
25 BLOOM: Hi, Tony.

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1 BURRUS: Good morning, Tony Burrus, the Allen County
2 Safety and Environmental Director. Actually, this is
3 more of a change order for 925 West Main, in New
4 Haven. We're doing an environmental assessment,
5 which as we were doing the phase one, we found that
6 we needed to expand the scope of that assessment
7 there to look at molding and asbestos. That would be
8 an additional \$1,600.00 over the initial cost. So
9 the total cost would be \$2,800.00 to Patriot
10 Engineering.
11 BLOOM: I'll make a motion to approve the increase to
12 the environmental assessment at the building we just
13 bought in New Haven.
14 ROUSSEAU: I second that. All in favor signify by
15 saying, "Aye."
16 BLOOM: Aye.
17 ROUSSEAU: Aye. We may add, for those who are

18 inquisitive, that that particular building is a
19 building that will--
20 BLOOM: House.
21 ROUSSEAU: --relocate the Juvenile Probation
22 Department. And, we have made an offer to purchase,
23 on this particular piece of ground, with the building
24 on it, and we are doing the necessary precautionary
25 tests, and so forth, to make sure what it is that

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1 we're purchasing--
2 BURRUS: Purchasing.
3 ROUSSEAU: --and Mr. Burrus feels that under advice
4 of the firm that's checking it, that we should
5 proceed with a few other tests to make sure that
6 we're not buying something that's going to cost us
7 millions of dollars to take care of later on. I
8 think we spent eight or nine million on the IJ
9 Recycling site, not that we bought that, but those
10 things can happen, and so we want to make sure that
11 that doesn't happen.
12 BLOOM: Is that clean yet?
13 BURRUS: We are waiting--the letter from the State--
14 we have been waiting for the letter from the State
15 for--
16 BLOOM: For many years.
17 BURRUS: --for many years. So, I think--
18 BLOOM: Yeah.
19 BURRUS: --I think we're in the 11th and a half hour
20 in that project, compared to where we were some years
21 ago.
22 BLOOM: So "Bloom Park" is almost clean, huh?
23 BURRUS: That is correct.
24 ROUSSEAU: I think that that firm that has been
25 doing the--representing us on this, has been kept

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1 alive by--
2 BLOOM: With our endeavors here.
3 ROUSSEAU: --the County--the County of Allen, yes.
4 BLOOM: Uh-huh (affirmative).
5 BURRUS: That's--that's a possibility. Some overhead
6 has been--
7 BLOOM: It's--
8 BURRUS: --covered by the County.
9 BLOOM: --not been a happy experience for us. I'm
10 looking for it to be--
11 ROUSSEAU: It'll be--we'll be--
12 BLOOM: --over soon.
13 ROUSSEAU: --we'll be asking President Bush to help
14 us on this particular item, while he still has his
15 troops ready to go. We mean business.
16 BLOOM: Thank you for sharing.
17 BURRUS: Thank you.
18 ROUSSEAU: Okay. Thank you. Appointment to the
19 Common Wage Committee of Fort Wayne Community Schools
20 for the North Side Renovation and Addition Project.
21 ELSER: The name before the Commissioners for
22 consideration is Eugene Yergens.
23 BLOOM: So moved.
24 ROUSSEAU: Second. All in favor signify by saying,
25 "Aye."

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1 BLOOM: Aye.

2 ROUSSEAU: Aye. Declare it passed. Mr. Yergens has
3 participated in local government, one way or another,
4 school board, so forth, for probably 50 years. So,
5 he probably--if he can find wherever to go, he'll be
6 able to move quickly. Okay, Change Order for Allen
7 County Justice Center, Montgomery Kone Company,
8 contract addition, \$11,380.00.

9 BLOOM: I have reviewed the claims presented before
10 us today. This is for an addition of 11,380
11 [\$11,380.00] to provide cable for security cameras
12 and the battery operated lowering device. And, I
13 find those claims to be accurate, and I make a motion
14 to approve these.

15 ROUSSEAU: I second it. All in favor signify by
16 saying, "Aye."

17 BLOOM: Aye.

18 ROUSSEAU: Aye. Approve a cost agreement between
19 Sycamore Hills Addition Association and Allen County
20 for improvements of the existing streets located in
21 Sycamore Hills Subdivision.

22 BLOOM: Good morning.

23 FITCH: Good morning. Mike Fitch, Allen County
24 Highway Department. Sycamore Hills Addition
25 petitioned the highway department to recei--resurface

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1 their streets a couple years ago. We have done our
2 field studies and found that the streets do need to
3 be resurfaced to keep them up to maintenance
4 standards. This is a--because of the size of the
5 project, this is a 60/40 share--cost sharing project.
6 The agreement spells out the terms of the sharing.
7 The total project cost is estimated at \$191,148.40.
8 The Sycamore Hills residents will pay 40% or
9 \$76,559.00. And, the Highway Department will pay
10 \$114,689.00.

11 BLOOM: So moved.

12 ROUSSEAU: Second. All in favor signify by saying,
13 "Aye."

14 BLOOM: Aye.

15 ROUSSEAU: Aye.

16 BLOOM: We do several of these a year, right--three,
17 four of these--

18 FITCH: Yes, there's--

19 BLOOM: --subdivisions?

20 FITCH: --I think we have three other additions that
21 we're going to be resurfacing this summer.

22 BLOOM: Okay, great.

23 ROUSSEAU: Approve Appraisal Agreement between Misner
24 and Associates and Allen County for appraisal
25 services for 30 parcels on Dupont Road, from Pine

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1 Mills Road to Auburn Road, Allen County Project 339.

2 BLOOM: This was an--cost of 36,900 [\$36,900.00] and,
3 of course, I asked, "Why such a large cost," and when
4 it was explained to me--explain some of the higher
5 costs there, would you, please, on a couple of those
6 parcels?

7 FITCH: Okay, this is a per parcel cost.

8 BLOOM: Price, yeah.

9 FITCH: Some of the parcels are around \$2,500.00.
10 There's a long form and a short form. The long
11 form's require a lot more work, as far as
12 establishing setback damages. Sometimes the houses
13 are close to the road right-of-way, and we have to--
14 besides the road right-of-way acquisition cost, we
15 have to pay setback damages and it requires a lot
16 more work on the appraiser's part to prepare the
17 work. This particular project is a federal--federal
18 highway funded project. These funds are being paid
19 out of local funds, however, we must do the
20 appraisals according to federal and state guidelines,
21 so there's a lot of red tape involved in doing this.
22 BLOOM: I'll make a motion we accept this.
23 ROUSSEAU: Second. All in favor signify by saying,
24 "Aye."
25 BLOOM: Aye.

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1 ROUSSEAU: Aye. I'll declare it passed. Okay, on
2 other business here, we have an approval of Warranty
3 Deeds required for additional right-of-way
4 acquisitions on Union Chapel project for the
5 following property owners; Parcel 17, Cortney and
6 Jodi Schwartz; Parcel 70, Michel and Janelle Wagner;
7 and Parcel 71, David and Rebecca Goertzen.
8 BLOOM: So moved.
9 ROUSSEAU: Second. All in favor signify by saying,
10 "Aye."
11 BLOOM: Aye.
12 ROUSSEAU: Aye.
13 FITCH: That's all I have. Thank you very much.
14 BLOOM: Thank you.
15 ROUSSEAU: Thank you.
16 FITCH: Have a good day.
17 ROUSSEAU: Approve Agreement between Allen County and
18 MicroVote General Corporation for the MicroVote
19 Election Management System, the cost to be about
20 \$2,500.00 a year.
21 ELSER: Commissioners, this is an annual renewal for
22 the Election Board.
23 BLOOM: I'll make a motion that we approve an
24 agreement with MicroVote as an extension to their
25 existing one.

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1 ROUSSEAU: I second that. All in favor signify by
2 saying, "Aye."
3 BLOOM: Aye.
4 ROUSSEAU: Aye. Declare it passed. Do we have any
5 additional--
6 ELSER: I have no other business.
7 ROUSSEAU: --other business? Do we have anyone that
8 would care to address the Commissioners? (No
9 response). There being no one, meeting adjourned.
10 ELSER: No, we need to do--
11 ROUSSEAU: Pardon me?
12 ELSER: --we need to do this.
13 ROUSSEAU: Oh, I'm sorry. I take--
14 BLOOM: I'll make a motion--
15 ROUSSEAU: --I take that back because I overlooked a
16 procedural matter.

17 BLOOM: --I'll make a motion to waive the 2nd reading
 18 on any matter approved today and for which it may be
 19 deemed necessary for the Legislative Session of March
 20 5th.
 21 ROUSSEAU: I second that. All in favor say, "Aye."
 22 BLOOM: Aye.
 23 ROUSSEAU: Aye. That is passed.
 24 ELSER: Thank you.
 25 ROUSSEAU: And, now, finally, a motion is made and we

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1 will declare this meeting at an end.
 2 (Adjourned 10:30 a.m.)
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1 1 STATE OF INDIANA)
) SS:
 2 2 COUNTY OF ALLEN)
 3 3 REPORTER'S CERTIFICATE
 4 4 I, Alan R. Bunn, a Notary Public in and for
 5 5 the State of Indiana, County of Allen, do hereby
 6 6 certify that the above and foregoing is a true and
 7 7 accurate transcript of the Board of Commissioners of
 8 8 the County of Allen, Legislative Session, held before
 9 9 me on March 5, 2003 in the Allen County
 10 10 Commissioners' Courtroom, Room 200, City-County
 11 11 Building, 1 East Main Street, Fort Wayne, Allen
 12 12 County, Indiana; that I am not related to, employed
 13 13 by or interested in any of the parties to this cause
 14 14 of action.

15 15 IN WITNESS WHEREOF, I have hereto affixed my
 16 16 hand and seal this 7th day of March, 2003.

17 17
 18 18 _____
 Alan R. Bunn, Notary Public
 19 19 Residing in Wells County, Indiana
 20 20

My Commission Expires:
 21 21 October 15, 2010
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