

0001

1 STATE OF INDIANA)
)SS:
2 COUNTY OF ALLEN)
3
4
5
6

7 BOARD OF COMMISSIONERS
OF THE COUNTY OF ALLEN

8
9 RE: LEGISLATIVE SESSION OF
10 AUGUST 6, 2003
11
12
13
14

15 DATE: August 6, 2003
16

17 TIME: 10:03 a.m.
18

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

23 REPORTER: M. Joshua Osbun
24
25

0002

1 PRESENT:
2 Marla J. Irving Allen County Commissioner
3 Linda K. Bloom Allen County Commissioner
4 Edwin J. Rousseau Allen County Commissioner
5 Judge Frances Gull Allen County Superior Court
6 Jerry Sorg Allen County Superior Court
7 G. William Fishing County Counsel
8 Melissa Thompson Allen County Planning
Services
9
Randy Brown Allen County War Memorial
10 Coliseum
11 Jerry Noble MSKTD
12 Captain Kathryn Stevens Allen County Police
Department
13
Michael Fitch Director, Allen County
14 Highway Department
15 Jim Dearing MSKTD
16 Jeff Song Allen County Highway
Department
17
Ben Ridenour Allen County Highway
18 Department
19 John McGauley Allen County Public
Information Department

20
21
22
23
24
25
0003
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
0004
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17

Lin Wilson	Allen County Auditor's Office
Susan Elser	Allen County Commissioner's Office
Mary Hitchens	Allen County Public Information Department
M. Joshua Osbun	Rolf Reporting, Inc.
Dan Stockman	Journal-Gazette
Kevin Leininger	News Sentinel

I N D E X

	Page
Presentations by:	
Judge Frances Gull and Jeff Leffers	9-23
G. William Fishering	23-29
Melissa Thompson	29-31
Randy Brown and Jerry Noble	8, 31-42
Captain Kathryn Stevens	42-45
Michael Fitch	47-52

18
19
20
21
22
23
24
25
0005

		Page
1	Agenda:	
2		
3	1. Approval of Minutes of 07/30/03 Legislative Session	9
4		
5	2. Update on New Jury Administration System Judge Frances Gull	9
6		
7	3. Public Hearing: Approval of Sale of County property at 1025 Osage Street, Fort Wayne, IN	23
8		
9		
10	4. Amendment to the Allen County Code: Title 1 (General Provisions) Article 17 (Public Defender Board) Ordinance #8-06-03-23	26
11		
12		
13	5. Consideration of a resolution ratifying and approving Declaratory Resolution No. 03-5-13-1 of the Allen County Redevelopment Commission and Resolution No. 03-6-19-1 of the Allen County Plan Commission (Oak Crossing EDA)	29
14		
15		
16	6. Change Order	31
17	Allen County War Memorial Coliseum	
18	C.O. #12 \$91,552.00	
19		
20	7. Modification of Intergovernmental Agreement between Allen County and the U.S. Marshals Service - Prisoner Operations Division	42
21		
22		
23		
24		
25		
0006		
1	8. Change Orders	45
2	Juvenile Justice Center	
3	C.O. #025 Strahm, Division of SGI, Inc. Contract Addition \$182.00	
4		
5	C.O. #001 Celina Glass Co., Inc. Contract Reduction (\$188.25)	
6		
7	C.O. #026 Current, Inc. Contract Addition \$2,925.00	

8

9 9. Approve Change Order #4 for Carroll Road,
 10 Project #01-097, Bid Reference #24-02
 between Wayne Asphalt and Allen County
 \$16,436.78 DECREASE 46

11

12 10. Approve and accept completion of
 13 construction of new bridge on Ricker Road
 over Natural Drain @ Norfolk Southern
 14 Railway, Project #00-095, Bid Reference
 #48-02 -- API Construction Corporation
 was the prime contractor. 47

15

16 11. Approve and accept completion of
 17 construction of Vicksburg Pike in Lincoln
 Park Industrial Park, Project #01-250,
 18 Bid Reference #47-02 -- API Construction
 Corporation was the prime contractor. 47

19

20 12. Approve purchase of new computer for
 Highway Department for use with GIS and
 21 access databases -- \$903.00 total cost
 To be purchased from Highway funds 48

22

23 13. Other Business --

24

25

0007

1 14. Approval to waive the 2nd Reading on
 2 any matter approved today and for which
 it may be deemed necessary for the
 Legislative Session of August 6, 2003 52

3

4 15. Comments from the Public --

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

0008

1 IRVING: Good morning, and thank you for joining us
 2 on Wednesday, August the 6th for the Commissioners'
 3 Legislative Session. Commissioner Rousseau, would

4 you like to lead us in the pledge and a moment of
5 silence?

6 (At this time the Pledge of Allegiance is
7 recited, followed by a moment of silence.)

8 ROUSSEAU: Amen.

9 BLOOM: Amen.

10 IRVING: Thank you. Mr. Rousseau, I have kidded you
11 over the last several weeks when you said you were
12 going to sing, but today I thought that since--that
13 you had a surprise planned for us because I see Mr.
14 Brown is here in the audience, I thought maybe you
15 had invited Cher to come and sing for us.

16 ROUSSEAU: We did invite her.

17 BROWN: We had some look-a-likes in front of the
18 building this morning, but decided we better hold off
19 for the real thing.

20 BLOOM: You did?

21 IRVING: Did you really?

22 BLOOM: Yes, we did.

23 BLOOM: I love it.

24 IRVING: Did any of them really look-a-like?

25 BLOOM: Well, how would you know, she looks different

0009

1 every time you see her.

2 ROUSSEAU: That's what I say. She turned us down
3 because she--she had to see her plastic surgeon this
4 morning, and she--

5 BLOOM: Watch it.

6 ROUSSEAU: --couldn't--couldn't get here.

7 BLOOM: Well, let's go right on here.

8 IRVING: Okay, approval--

9 ROUSSEAU: I'm going to be there nevertheless.

10 BLOOM: I am too.

11 IRVING: And I am too. We'll see you tonight.

12 Approval of the minutes for the July 30th meeting.

13 BLOOM: So moved.

14 ROUSSEAU: Second.

15 IRVING: All in favor say, "Aye."

16 ROUSSEAU: Aye.

17 BLOOM: Aye.

18 IRVING: Aye. I'm very pleased to announce that
19 Judge Gull is with us today, and she has asked to
20 take a couple minutes here to explain how well her
21 new Jury Administration System is going, and we've
22 heard good things, so we're glad to have you today,
23 Judge.

24 BLOOM: Hi Judge, hi Jeff.

25 GULL: Well, good morning.

0010

1 IRVING: Good morning.

2 ROUSSEAU: I guess you've got a special fund-raising
3 thing--event going over there in the courts or
4 something.

5 GULL: I do. For what?

6 BLOOM: Bake sale?

7 GULL: Oh, there we go. Well, you know, whatever it
8 takes.

9 BLOOM: Yeah.

10 GULL: You gotta balance those budgets. I'm not
11 going to take up much of your time. Marla and I
12 had--excuse me, Commissioner Irving and I had

13 breakfast last week, and I was sharing with her a
14 little bit about--
15 ROUSSEAU: I was available.
16 GULL: Well, I'll grab you next time, Ed, okay?
17 BLOOM: Such a deal.
18 GULL: Isn't he? He is a deal. He is a deal.
19 BLOOM: Nuh-uh (negative).
20 GULL: And we were--
21 IRVING: She even bought, Ed.
22 GULL: --we were talking about county government and
23 how things were--were going, and we've been trying to
24 maintain some regular contact with the court with the
25 Commissioners. I brought up the Jury--the new jury

0011
1 system, and Commissioner Irving suggested that I get
2 on your agenda and come and tell you a little bit
3 about what's been going on. So, I'd like to first
4 thank you for the opportunity to come to you this
5 morning and to explain to you a little bit about what
6 we're doing over in the--the court system. I'm sure
7 as elected officials, you may get inquiries from
8 constituents about jury duty.
9 IRVING: Uh-huh (affirmative).
10 BLOOM: Uh-huh (affirmative).
11 GULL: I know Commissioner Irving's son was called
12 for jury duty and I excused him because he's an
13 active college student. So I know that she's got a
14 little bit of experience with the jury system.
15 BLOOM: I got called.
16 GULL: You got called. I hope you showed up.
17 BLOOM: Uh-huh (affirmative). Actually, I just
18 filled out the paperwork. They told me I was ex--
19 GULL: Oh, you just got called?
20 BLOOM: No--yeah.
21 ROUSSEAU: I think they said you were too old or
22 something, they didn't have to--
23 BLOOM: Actually, Judge, they suggested that I was
24 exempt, and I said, "No, I don't want to be exempt.
25 I'm filling out the paperwork, and if I get called,

0012
1 I'll go over there."
2 GULL: Oh, exempt as an elected official, yes.
3 BLOOM: That's what they told me, but I still filled
4 out the paperwork and felt like I had an obligation.
5 GULL: Well, I appreciate that because exemptions are
6 statutes created by statute, and they belong to the
7 person to whom the exemption applies.
8 IRVING: Exactly.
9 GULL: So, you have the ability to not claim that
10 exemption and appear for jury duty, so I can't wait
11 to see you.
12 BLOOM: I'll bet.
13 GULL: I just want to give you a quick overview of
14 where we began and how we started. I know that you
15 know Jeff Leffers, who's seated to my right. He's
16 our director of court operations. Back in 2000 when
17 we started looking at purchasing new jury software, I
18 appointed Jeff as our point person. At the time, we
19 were looking to purchase new software, and to create
20 within Allen County our own jury system separate and

21 distinct from other counties around the state. In
22 1997, the Judicial Administration Committee of the
23 Judicial Center began a study of juries, and we
24 found--as I was chair of that committee--we found 92
25 counties, over 400 judges, which meant there were

0013

1 over 400 ways of doing jury trials in Indiana.
2 That's difficult to explain when we're all looking at
3 the same statutes and looking at the same rules, that
4 we have such a wide divergence of how things are
5 done. That wide divergence lead to my committee
6 making a recommendation to the Indiana Supreme Court
7 to adopt new jury rules. January 1 of this year, I'm
8 proud to announce, we finally--

9 IRVING: Yes.

10 GULL: --actually got new jury rules that cover the
11 entire State of Indiana. And basically, the impetus,
12 the biggest change with the new jury rules that the
13 Supreme Court adopted is the one day, one trial.
14 Which means you appear for jury duty, and you are
15 either selected and you serve for the duration of
16 that trial, however long it may be or you appear for
17 jury service, you are not selected for whatever
18 reason and you are free to go. Your service to the
19 court has been discharged. The change is that we
20 used to hold you for three months, and you would
21 serve five to seven time, perhaps, in that three
22 month period of time. I mean, it got to be old home
23 week up in the jury box towards the end of the
24 quarters where in criminal court, particularly, where
25 we were doing so many jury trials, people were coming

0014

1 in all the time and recognized me from being in the
2 last trial I was in, and during jury selection would
3 say, "Judge, you had to leave a little bit early
4 because your son had a basketball game, how did that
5 go"? And it's like this is crazy, we're using up
6 these people far, far too fast.

7 Because I was chair of the committee, I had a
8 little bit of an inside track on the inevitable, and
9 the inevitable was people in this state are getting
10 tired of being abused by the courts when they are
11 trying to fulfill--as--as Commissioner Bloom--trying
12 to fulfill your duty to the citizens to perform jury
13 duty. Knowing that we were in the process of some
14 significant jury reform, and knowing that it was
15 going to happen whether we were ready for it or not,
16 we began a process here in Allen County to purchase
17 some jury software that Jeff was the point guy on.
18 Finding this company, interviewing these people,
19 bringing them in to give us a demo. I approached
20 County Council in 2001 for permission to, one,
21 purchase this jury software, which we did, and two,
22 to establish and create a new jury administrator
23 position, which now gives us two people in our jury
24 office to manage the software, and to manage the
25 hundreds and thousands of people that we have in our

0015

1 jury pool. Our jury pool consists currently of
2 300,000 people--

3 LEFFERS: About 300,000.

4 GULL: --approximately 300,000 people. Those people
5 aren't just voters. You've all heard, as elected
6 officials, the ruse that people don't want to
7 register to vote because they don't want to get stuck
8 doing jury duty. I've heard now, people are
9 registering to vote because it's not just registered
10 voters any longer, it's members of--people that are
11 on the Bureau of Motor Vehicles lists. As a result,
12 we have, again, 300,000 people in our master list
13 from which we can draw jurors. The--the biggest
14 change that I've seen in our jury pools has been
15 diversity.

16 IRVING: Great.

17 GULL: If you think about registered voters, you are
18 generally thinking about people that have a stake in
19 the system. They vote, they care, they're involved,
20 they want to know where you stand, Linda, on certain
21 issues. They want to know where Marla comes from in
22 certain things. They want to know from Ed how you
23 believe--what's your belief system. People that vote
24 generally tend to be older individuals in a--in a
25 very specific demographic, they generally tend to

0016

1 be--well, they're--you know who the voters are. We
2 all know who our constituents are. Because of the
3 addition of the Bureau of Motor Vehicles lists, we
4 are now getting a lot younger group of people.
5 Marla, I think your son--18, 19?

6 IRVING: Nineteen.

7 GULL: He's exempt or is allowed to be excused from
8 jury duty because he's in college. My son, who's in
9 active military, just got a notification for jury
10 duty, and it was a weird thing, I filled it out for
11 him and asked to be excused, and then took it to
12 another judge to get the approval to excuse my son--

13 BLOOM: Uh-huh (affirmative).

14 GULL: --from active military duty--from jury duty.

15 IRVING: I have a question on that, though.

16 GULL: Yeah.

17 IRVING: In your heart, didn't you want to bring him
18 home for jury duty?

19 GULL: Of course I did.

20 IRVING: Okay, okay, just wanted to clarify that for
21 you judge.

22 GULL: Of course I did. I would love to bring him
23 home, and I thought about writing a note to his
24 commander to tell him that Iraq is not an option for
25 my son, but I don't really have any choice in that

0017

1 because that's where he's heading.

2 BLOOM: He is?

3 IRVING: Uh-huh (affirmative).

4 GULL: We're getting younger people.

5 IRVING: Good.

6 GULL: There are more African-Americans, there are
7 more Hispanics, there are more Asians, there are more
8 people of color th--

9 IRVING: Great.

10 GULL: --and again, I can't stress to you enough how
11 much different our pool looks than what it did

12 before. The law under the new jury rules requires
13 that we not call people back for a year. Our goal is
14 three years, and I think--

15 IRVING: Great.

16 GULL: --we'll be able to meet that goal of not
17 having people come back in for another three years.
18 We do have the ability with our software to eliminate
19 people--I know one of the issues that came up with
20 using BMV lists is well, 15 year olds get ID cards.
21 Well, you have to be 18 to be a jury.

22 IRVING: Yeah.

23 GULL: So if you checked the box that you're under
24 18, we don't get you. You have to be able to read,
25 write, speak, and understand the English language.

0018

1 We know a lot of people that do not speak English--

2 BLOOM: Uh-huh (affirmative).

3 GULL: --get identification cards from the DMV.

4 They're not eligible to serve by statute, so we
5 release those individuals. It has been, as a judge,
6 one of the most exciting things to be involved with.

7 IRVING: Great.

8 GULL: Jury reform, not just here in Allen County,
9 but across the state, and I will tell you that
10 Indiana is a leader in this now, and this county--we
11 get people that come to our county to look at our
12 system, to meet with Jeff, to talk with our people to
13 see how we're doing. Two weeks ago--a month ago--a
14 little ov--less than a month ago, Tom Munsterman, who
15 is the Director of Center for Jury Studies of
16 National State Court, came in and looked at our
17 system. Make sure that we're random. Are we
18 randomly selecting people for jury duty, and he gave
19 us almost a week of his time, and gave us a report
20 and indicated, "Yes, your system works. It works
21 great. You are randomly selecting people. Allen
22 County truly gives defendants and litigants a cross
23 representation of the community." So, I'm proud to
24 be able to report that you. It's been a--it's been a
25 hell of a ride.

0019

1 IRVING: That's right.

2 GULL: I'll tell you it's been a hell of a ride
3 getting here from 1997 to now.

4 IRVING: I think that--and I'm glad that you brought
5 that up because that was one thing I was going to ask
6 you about. Occasionally, we forget to toot our own
7 horns. One of the things, as an elected official,
8 that we hear out there is that a lot of the things
9 that we do are very archaic, you know, why aren't we
10 getting up into the times, more efficiency. And when
11 the judge was telling me about this last week, I said
12 I would really like you to come and explain to my two
13 partners, but more important, to our video audience
14 about how we are leaders, and that through--what was
15 it a \$30,000.00 invest--how much was this software?
16 I forget.

17 LEFFERS: The--the software basically--the software
18 was about \$35,000.00.

19 IRVING: Thirty-five [\$35,000.00], and it was a good
20 investment because as you said, if we can get more

21 people out here to register to vote--because I--I
22 heard that a lot, "Well, you know, I--I don't vote
23 because I don't want to be called for jury duty,
24 because, you know--
25 GULL: Sure.

0020
1 IRVING: --I have a business, I have"--you know, all
2 these type of things. And I'd like to congratulate
3 both of you, and--
4 GULL: Thanks.
5 IRVING: --thank you very much for keeping us
6 informed. Do my two partners have a question?
7 ROUSSEAU: Yeah, I--you mentioned that you have about
8 300,000 people on the list--
9 GULL: Uh-huh (affirmative).
10 ROUSSEAU: --and our population is supposed to be
11 somewhere around 330 to 340,000 people--
12 GULL: Uh-huh (affirmative).
13 ROUSSEAU: --in Allen County. My golly, don't we
14 exempt children or something or how can they be--all
15 be on the--
16 GULL: We exempt children, yes. I--I'm guess--no,
17 I'm not guessing. There are duplicates. There are
18 duplicates on that list where we have John M. Smith
19 and John Smith being the same, identical person--
20 ROUSSEAU: Oh.
21 GULL: --but they're both on the list. We're in the
22 process of getting with the bureau and scrubbing
23 those--
24 BLOOM: Cleaning it up, yeah.
25 GULL: --lists to make them more efficient.

0021
1 IRVING: And deaths, too.
2 GULL: And I'm sure we also have individuals on our
3 lists that are deceased, and we're working with voter
4 registration and the BMV to try to figure out a way
5 to remove those individuals. It's an extremely
6 disturbing--
7 IRVING: Yes.
8 GULL: --prospect--
9 BLOOM: Yeah, yeah.
10 GULL: --to me when we have people that died two
11 years ago--they forgot to notify--
12 BLOOM: And it hasn't been purged--
13 GULL: --the BMV--
14 BLOOM: --yeah.
15 GULL: --they forgot to notify voter registration,
16 and they get a notice to appear for jury duty.
17 ROUSSEAU: I was hoping we had more people because it
18 would--
19 GULL: Would increase our--
20 ROUSSEAU: --qualify us for more--
21 GULL: --tax base then, wouldn't it.
22 ROUSSEAU: --more tax money or something, you know,
23 so--
24 GULL: I wish I could tell you that.
25 LEFFERS: Can I just mention something real quick.

0022
1 This has been a two year process just to get to this
2 point, and through the cooperation of the County

3 Commissioners and people who work for you. You've
4 got--
5 GULL: ACS.
6 LEFFERS: --you've got ACS, you've Bruce Little in
7 purchasing. We've worked with a lot of people,
8 you've got Gene Louden. All this came together--it
9 was a team effort, it wasn't--it wasn't just--just
10 the court. It was the County Commissioners and those
11 who work for the County Commissioners, jointly,
12 coming together who made this possible. So thank
13 you.
14 GULL: Yeah, and we've had tremendous--
15 BLOOM: Thank you.
16 GULL: --support from those individuals that report
17 to the Commissioners, and we do--
18 ROUSSEAU: Thanks for your time.
19 GULL: --appreciate it. Thank you very much.
20 IRVING: Judge, please, the invitation is always
21 here. Please--
22 GULL: I appreciate--
23 IRVING: --come back and--
24 GULL: --that. That's wonderful--
25 IRVING: --see us.

0023
1 GULL: --it's a nice body to appear in front of.
2 IRVING: Thank you very much.
3 GULL: Thank you very much.
4 IRVING: Thank you, Jeff.
5 LEFFERS: Thanks.
6 IRVING: Okay, we would like to have--next on our
7 agenda, a Public Hearing for the approval of sale of
8 county property at 1025 Osage Street. I think our
9 attorney, Mr. Fishing--
10 FISHERING: Yes, if you would open the Public Hearing
11 and ask for pros or cons to speak.
12 IRVING: Good morning. Welcome to the August 6, 2003
13 Public Hearing of the Allen County Board of
14 Commissioners for approval of the sale of county
15 owned property. According to Indiana law, today's
16 Public Hearing may include only those matters which
17 have been advertised. Mr. Fishing, has proper
18 notice been published for the sale of the property at
19 1025 Osage Street?
20 FISHERING: Yes, ma'am.
21 IRVING: Thank you. This Public Hearing is for the
22 purpose of taking testimony. The board will discuss
23 the merits of the proposed following the Public
24 Hearing, and under normal circumstances, vote to
25 determine the outcome. We do hold the authority to

0024
1 continue our discussion until a later meeting if we
2 believe that to be of the best interest of the
3 public. I think we have a presentation by you Mr.
4 Fishing. We'd like to open the Public Hearing.
5 FISHERING: Ladies and gentleman, I'm Bill Fishing,
6 the county attorney. The county was given what's
7 commonly referred to as the "Eckrich building" about
8 two and a half years ago with hopes that we would be
9 able to remodel it and use it for county purposes.
10 Subsequent to that it has not proved as easy to
11 modify as we had hoped, and also some of the

12 departments aren't particularly thrilled with the
13 location. As a result of that, the Commissioners
14 preliminarily determined that it would be in the best
15 interest of the county to attempt to sell it. The
16 process as set forth in the statute will require
17 eventually, the County Council approval also, because
18 of the appraised values of this building, which my
19 recollection is \$385,000.00, but that's a
20 recollection, I didn't verify that before I came
21 over, but we are following the statutory process. At
22 this point, you need to have a Public Hearing as to
23 whether it will be beneficial to transfer that
24 property, and we are ready to take both pro and cons
25 with respect to that.

0025

1 IRVING: Okay, is there any--you might as well just
2 stay. You want to just stay there.
3 FISHERING: Well, they may not want to sit by me.
4 IRVING: Oh, okay. Is there anyone here to speak in
5 support of the sale of the property? (No response.)
6 Is there anyone here to speak in support of the sale
7 of this property? (No response.) Is there anyone to
8 speak against the sale of the property?
9 (No response.) Against the sale of the property?
10 (No response.) Hearing no public comment, I'd like
11 to close the Public Hearing. May I have a motion?
12 BLOOM: So moved.
13 ROUSSEAU: Second.
14 IRVING: All in favor say, "Aye."
15 ROUSSEAU: Aye.
16 BLOOM: Aye.
17 IRVING: Aye. Motion carried. The Public Hearing is
18 now closed.
19 FISHERING: Before you is a resolution, then,
20 approving going forward with the sale of the
21 property, directing that the County Council be
22 consulted, and authorizing the Commissioners with
23 their approval to execute any and all documents
24 necessary. It does require that the property be sold
25 not less than the average appraisal for the building.

0026

1 IRVING: Is there any discussion? (No response.)
2 Hearing no discussion, may I have a motion?
3 BLOOM: So moved.
4 ROUSSEAU: Second.
5 IRVING: All in favor say, "Aye."
6 ROUSSEAU: Aye.
7 BLOOM: Aye.
8 IRVING: Aye. Motions has carried.
9 FISHERING: Thank you.
10 IRVING: Why don't we go ahead now and make a motion
11 to waive the 2nd Reading.
12 BLOOM: So moved.
13 ROUSSEAU: Second.
14 IRVING: All in favor say, "Aye."
15 ROUSSEAU: Aye.
16 BLOOM: Aye.
17 IRVING: Aye. Motion carried. Thank you very much.
18 Now, we'd like to have the Amendment to the Allen
19 County Code: Title 1, Article 17 for the Public

20 Defender Board. Susan?
21 ELSER: Oh, I'm sorry. I believe Mr. Fishing's
22 going to--
23 IRVING: Oh, I'm sorry.
24 FISHERING: It's me again.
25 IRVING: See why did you move for? You could have
0027
1 just saved--
2 FISHERING: Well, I didn't know what--
3 IRVING: --that 10 steps there.
4 FISHERING: --the order was, and some days it goes
5 better than others.
6 IRVING: Okay, would you like to do a presentation on
7 Allen County Code: Title 1, Article 17?
8 FISHERING: Yes. The Public Defenders are appointed
9 by the circuit court judge or have in the past. A
10 number of years ago, a state commission was created
11 and allowed for certain funds to flow from the state
12 to the local public defenders if the local public
13 defenders adopted a certain process, and had a board
14 to control them. There was much discussion at the
15 time about whether the cost of complying with the
16 requirements of the State Public Defenders Council
17 made it worth while to follow that process. Those
18 discussions have gone on a number of years, since
19 then the state has modified it's rules to make it
20 significantly more attractive to participate in that
21 process. At the present time, Judge Felts, who is
22 now the circuit court judge, and Chuck Leonard, who
23 is the chief public defender, have concluded that it
24 would be beneficial for us to participate in that
25 program. They have submitted to you a proposed
0028
1 amendment to the Public Defender Board, which would
2 allow the current Public Defender Board to comply
3 with the state requirements from the Public Defender
4 Council. The most significant difference with this
5 and the prior one is it's a three person board, two
6 appointed by the judges holding criminal
7 jurisdiction, one appointed by the County
8 Commissioners. That is significantly different than
9 the Ordinance that you're amending. There are some
10 other technical differences, but that's the most
11 significant difference. They would recommend your
12 adoption of this Ordinance, and then you will have an
13 appointment to the board if you desire to take that
14 up.
15 IRVING: Do we have any questions?
16 ROUSSEAU: Well, we've had--as he pointed out, we've
17 had this discussion over a number of years, and there
18 was a time when Judge Ryan felt that it was best to
19 keep on the--kind of the part-time basis, but
20 apparently there have been some changes--
21 FISHERING: Yes, there have--
22 BLOOM: Yes.
23 FISHERING: --been some--
24 ROUSSEAU: --that have--
25 FISHERING: --significant changes--
0029
1 ROUSSEAU: --made it--
2 FISHERING: --in the funding requirements, yes.

3 ROUSSEAU: --look as if this may be a better deal,
4 now?
5 FISHERING: Significantly. Absolutely.
6 ROUSSEAU: So, I think that we ought to go ahead and
7 do it. Do we need a motion?
8 FISHERING: Yes.
9 ROUSSEAU: I so move.
10 BLOOM: Second.
11 IRVING: All in favor say, "Aye."
12 ROUSSEAU: Aye.
13 BLOOM: Aye.
14 IRVING: Aye. Motion carried. At a future meeting,
15 we will then determine who our appointee will be. Is
16 there a time limit on that?
17 FISHERING: No.
18 IRVING: No, okay. Thank you very much.
19 FISHERING: Thank you.
20 IRVING: Consideration of a resolution ratifying and
21 approving Declaratory Resolution number 03-5--13-1 of
22 the Allen County Redevelopment Commission and
23 03-6-19-1--Plan Commission, Oak Crossing EDA.
24 THOMPSON: Hi.
25 IRVING: Good morning.

0030
1 THOMPSON: Good morning.
2 IRVING: How are you?
3 THOMPSON: Good. Melissa Thompson, Economic
4 Development Specialist. As mentioned in the
5 information packet sent to you before this meeting,
6 the Oak Crossing project is a new 327,000 square foot
7 commercial project that is being developed at the
8 corner of Dupont of Tonkel Roads. Within the Oak
9 Crossing Economic Development area, there will be an
10 allocation area established for the purpose of
11 collecting TIF revenue from the increased assessed
12 value from the development. This revenue will be
13 used to help fund the Leo/Mayhew intersection
14 improvements that are necessary for the growth that
15 is occurring in that area. Today you have for your
16 consideration a resolution ratifying and approving
17 the Declaratory Resolution of the Redevelopment
18 Commission, and a resolution for the Allen County
19 Plan Commission. If it is approved today, then there
20 will be a Redevelopment Commission meeting held on
21 August 19th for a Public Hearing and consideration of
22 the confirmatory resolution. And with that, I can
23 answer any questions.
24 IRVING: I think your packet was complete. Do either
25 one of my partners have a question?

0031
1 BLOOM: I'm fine with it.
2 IRVING: Okay, can I have--
3 BLOOM: I'll make a motion that we accept the
4 resolution.
5 ROUSSEAU: Second.
6 IRVING: All in favor say, "Aye."
7 ROUSSEAU: Aye.
8 BLOOM: Aye.
9 IRVING: Aye. Thank you very much.
10 THOMPSON: Thank you.

11 IRVING: Motion carried. Change order for the Allen
12 County War Memorial Coliseum for \$91,552.00. Happy
13 Anniversary, gentleman.
14 BROWN: Thank you. It's hard to believe--
15 IRVING: It was--
16 BROWN: --it's just been over year--
17 IRVING: I know.
18 BROWN: --August 2nd, since we raised the roof. I am
19 Randy Brown, general manager of the Memorial
20 Coliseum, with me my colleague, Jerry Noble with
21 MSKTD & Associates, our project architect, and we
22 bring to you today change order number 12--
23 IRVING: Great.
24 BROWN: --what is heading toward one of the last of
25 the change orders.

0032
1 IRVING: That's right.
2 BROWN: Jerry, do you--
3 NOBLE: Sure. The current contract amount is
4 \$29,476,152 and somehow we got \$0.29 in there. This
5 change order includes 10 items. The largest items
6 are the second, third and fourth, I guess. That--the
7 second item is to paint portions of the steel frame,
8 to--we had to remove some lead. We did some lead
9 abatement and it left a discolored appearance, and we
10 wanted to go back and make that look better. And
11 then 380 and 382 R, we found--as the speaker system
12 was--started to be used, that we found some--some
13 dead areas, and some things that needed to be
14 enhanced. So we added some speakers to accomplish
15 that. The total change order is \$91,552.00. That
16 would bring the new proposed contract amount to
17 \$29,567,704.29. If you were to look onto the summary
18 sheet in the far--lower right-hand corner, that
19 spends just a little bit less than 60% of our
20 contingency, and the current status of the project is
21 99% billed out.
22 ROUSSEAU: The parking lot expansion--it seems like
23 we did that earlier, I--
24 BLOOM: Yeah, we did.
25 ROUSSEAU: --that's--tell me, did we do it earlier?

0033
1 IRVING: We did it earlier.
2 BROWN: There--there will be at least one more change
3 order and probably two. If you recall, the--the
4 parking lot cost is in the range of approximately
5 \$175,000.00. And I say, "in the range," depending
6 upon what--what we run into with bad soil, they may
7 have to do some matting--
8 NOBLE: Uh-huh (affirmative).
9 BROWN: --but--
10 BLOOM: Right.
11 BROWN: --but that includes landscaping and
12 everything, it's--
13 BLOOM: Exactly--
14 BROWN: --it's going to be very--
15 BLOOM: --it was parking, landscaping--the whole--
16 BROWN: --it's going to be very nice when it's
17 complete.
18 BLOOM: Okay--oh, yeah.
19 BROWN: Also, it does not include the ceiling of the

20 concrete frames, if you recall--
21 BLOOM: Right.
22 BROWN: --there's approximately a sixty--
23 NOBLE: Sixty-five thousand.
24 BROWN: --\$65,000 cost, too.
25 BLOOM: I don't remember.

0034
1 BROWN: The big concrete frames that--
2 BLOOM: Okay.
3 BROWN: --we've talked about it. I know it's been--
4 IRVING: So they don't flake and--
5 BROWN: --a while ago--right.
6 BLOOM: I've just forgot.
7 BROWN: Sure.
8 ROUSSEAU: That--if my memory's correct, we're adding
9 about 300 parking places at that--
10 BROWN: Approximately, that is case.
11 ROUSSEAU: Yeah.
12 BROWN: On the north to northeast sides of the
13 building. That work--if you drive by now, you'll see
14 it's well under--on it's way--
15 IRVING: Yes, it is.
16 BROWN: --they've stoned the new parking areas
17 yesterday, and I think it--it may be pretty well
18 complete by this time next week.
19 IRVING: Great.
20 BLOOM: But won't--
21 IRVING: Jerry, if you need any consulting on bad
22 soil, Linda has become an expert recently on--on
23 soil.
24 ROUSSEAU: Well, wait--wait--wait a minute. It was
25 the Wood Youth Center that had all the bad soil.

0035
1 Linda, did you see how she was trying to turn that on
2 you? Did you get that?
3 IRVING: No, because--
4 ROUSSEAU: You had the bad soil at Wood Youth.
5 IRVING: Well, I know but every road proj--
6 BLOOM: Every road and bridge--
7 IRVING: --every road project--
8 BLOOM: --every road and bridge, yeah.
9 IRVING: --we have had to have huge change orders,
10 and it's automatically bad soil, so I assumed that
11 she has become an expert in--
12 ROUSSEAU: Have I had one bad soil situation so far
13 this year--none.
14 BLOOM: Well, I'm proud of you.
15 ROUSSEAU: Although, I may have one coming up here on
16 the--
17 IRVING: The park--
18 ROUSSEAU: --Coliseum though, but it will be very
19 minor. If I have any at all--
20 BROWN: And I'm not sure--
21 ROUSSEAU: --it'll be--
22 BROWN: --I'm not sure there's even going to be one.
23 You--your record may hold, sir.
24 BLOOM: I really thought the Coliseum was the only
25 good soil we had that we owned.

0036
1 NOBLE: Well, we just dug down so far that we

2 bypassed all the bad stuff.
3 BLOOM: See what I mean.
4 BROWN: Yeah.
5 BLOOM: See, see.
6 IRVING: Deeper than the jail. We were in China.
7 NOBLE: Boy, we had to find some good stuff--
8 BLOOM: No, now cool it.
9 NOBLE: --for those foundations.
10 IRVING: Well, that's true. I--you know, I'm going
11 to put an end to this discussion. I do have some
12 authority here. I'm sorry I said one word about it.
13 BLOOM: I would like to--
14 IRVING: Okay, I'll entertain a motion, please.
15 BLOOM: --I'd like to make the change order for the
16 Coliseum, \$91,552.00.
17 ROUSSEAU: I second that.
18 IRVING: All in favor say, "Aye."
19 ROUSSEAU: Aye.
20 BLOOM: Aye.
21 IRVING: Aye. Motion carried.
22 NOBLE: Thank you.
23 BROWN: Thank you.
24 IRVING: Do we need earplugs for tonight?
25 BROWN: If--it will be loud, of course, and if--if

0037
1 you need earplugs I'll have them available.
2 IRVING: You'll have them.
3 BROWN: And--just--
4 BLOOM: You will?
5 BROWN: --it's something we do if--if there's a guest
6 who's uncomfortable--if there's a small child with
7 high noise environment, we always wil--are happy to
8 give earplugs, so--
9 BLOOM: And where would we locate these?
10 BROWN: Look for any of our ushers, our red coats--
11 IRVING: They're in their pocket.
12 BLOOM: They carry the--
13 BROWN: --they carry them--
14 BLOOM: --earplugs, huh?
15 BROWN: --in their pocket, that's right. And, again,
16 it's part of we want our guests not to just come out
17 to tonight's sold out show, but we want them to sell
18 out the next one, too. Just general business. I've
19 just returned from a facility managers meeting, and
20 we are doing very well. That is not indicative of
21 what's happening around the country with a weak
22 economy--
23 BLOOM: Uh-huh (affirmative).
24 BROWN: --most facilities are struggling right now,
25 and we've come off an excellent year with the hockey

0038
1 team, a great start with--
2 IRVING: Yes.
3 BROWN: --our indoor football team--
4 BLOOM: Uh-huh (affirmative).
5 BROWN: --but it's really the total mix of events,
6 and I look at the bookings for this fall. We have
7 some major concert announcements that are coming.
8 The Women of Faith will be here--yeah, later--
9 BLOOM: What?
10 BROWN: The Women of Faith will be here in March

11 which is a major event. That's the lady's version
12 of--
13 IRVING: Yes.
14 BROWN: --Promise Keepers.
15 IRVING: Yes.
16 BROWN: And just to mention a few--and--
17 BLOOM: Oh, I didn't know that.
18 BROWN: --it's really an exciting time with
19 attractions that we are bringing into the community.
20 Of course Goldwing event will be coming back in 2005,
21 but I really believe the best is yet to come. We've
22 positioned the facility, the assets, the meeting
23 rooms, the exhibit space, we are state-of-the-art.
24 We maintain what we have, we've got a great location
25 in a terrific community--you know, we have a couple
0039

1 things that we have--we need that are on the horizon
2 that we've talked about, but by in large we've got a
3 facility we can all be proud of.
4 ROUSSEAU: If I remember correctly on some sheet that
5 I saw that ticket sales, that we were just slightly
6 below the United Center in Chicago, and we were
7 slightly ahead of Conseco in Indianapolis, as far as
8 total ticket sales.
9 BROWN: Yes, that was, I believe, the first quarter
10 results from Pollstar, which is our industry trade
11 publication. They follow all concert sales, so--and
12 we've--we've had a consistently good start--month of
13 July we had three concerts, Styx, Journey, REO,
14 Disturbed, and--and one other that escapes me at the
15 moment. Of course, now with Cher this month--
16 Gaithers--Gaithers have already exceeded 8,000
17 tickets sold for September, and again, I really do
18 believe you're going to see some other large
19 attractions completing this calendar year.
20 ROUSSEAU: I think we ought to have a new theme song
21 for the Coliseum, like--what's that one, "It's hard
22 to be humble," or something.
23 BLOOM: Oh, yeah. I could do that. I'm good at that
24 one.
25 BROWN: Well, today it's--
0040

1 BLOOM: Yeah, I could do that one.
2 BROWN: --"Gypsies, Tramps and Thieves," but--but
3 thank you for your support folks.
4 IRVING: I have one other question and then I will
5 let you--
6 BLOOM: They don't want to hear me--they've heard me,
7 it's the only song I know.
8 ROUSSEAU: She's pretty good.
9 IRVING: When is--when is your next board meeting?
10 Is it coming up anytime soon?
11 BROWN: I think we will very likely have one this
12 month, but--
13 IRVING: Okay.
14 BROWN: --the date has not yet been set.
15 IRVING: Okay, I was wondering if you had got--and I
16 know that it was in the--the newspaper that you had
17 some response from the hotel project that--
18 BROWN: We do have a full service property that is

19 interested in--
20 IRVING: Okay.
21 BROWN: --building on-site. Their--their request is
22 a full service Holiday Inn with 143 rooms.
23 IRVING: Okay.
24 BLOOM: Located on--
25 BROWN: All private development.

0041
1 BLOOM: --located on-site, where?
2 BROWN: The location has--actually that was not
3 specified. I may have misspoken--
4 IRVING: Right.
5 BROWN: --with that--that part of it, but they are
6 interested. That is the only document that we
7 received back--the only RFQ response. Part of it--
8 and we've had a number of the others say that
9 borrowing right now is a big issue. They're
10 interested, they would like--they feel the value in
11 building at the Coliseum or adjacent to the Coliseum,
12 but for instance, one of the local entities that
13 started the whole process, they didn't want to submit
14 an RFQ response and--without knowing for sure that
15 they could obtain financing--
16 IRVING: Right.
17 BROWN: --and I appreciate that.
18 IRVING: And that's why I had a couple questions
19 fielded from the media, and I said, well, I was sure
20 that you were going to have a board meeting soon and
21 be able to lay out the--
22 BROWN: That's right--
23 IRVING: --the whole project.
24 BROWN: --and we're looking at all of the elements
25 of--of their RFQ response, and at this point the

0042
1 committee has not made a recommendation yet to the
2 board, but I would anticipate that will be at the
3 next board meeting.
4 IRVING: Thank you very much and please--
5 BLOOM: Thanks.
6 IRVING: --come back and visit us.
7 BROWN: Thank you.
8 IRVING: Good to see you, Jerry.
9 BROWN: Have a great day, and we'll see you tonight.
10 IRVING: See you tonight. Okay, modification of
11 Intergovernmental Agreement between Allen County and
12 the U.S. Marshal Service for Prisoner Operations
13 Division. Good morning, Cookie.
14 BLOOM: Good morning--
15 STEVENS: Good morning, Commissioners.
16 BLOOM: --Captain Stevens.
17 IRVING: How are you?
18 STEVENS: I'm wonderful.
19 IRVING: Great.
20 STEVENS: Starting to make this a habit.
21 IRVING: You can be--you are a good habit.
22 STEVENS: Okay, this is just a matter of
23 housekeeping, we're not really modifying any of the
24 details of our original contract with the Allen
25 County Jail and the U.S. Marshal Service to provide

0043
1 15 beds--or 30 beds for 15 years, and--in exchange

2 for the \$1,000,000.00 that they gave us to help
3 expand--

4 BLOOM: Oh, yeah.

5 STEVENS: --that fourth floor--

6 IRVING: Right.

7 STEVENS: --on the--on the housing side of the new
8 Justice Center. So, they've just changed--

9 BLOOM: What did--

10 STEVENS: --their numbering system, and they've just
11 reiterated that that contract still is in effect--

12 IRVING: Uh-huh (affirmative).

13 STEVENS: --and--

14 BLOOM: For how many beds, again?

15 STEVENS: It's 30 beds for 15 years.

16 BLOOM: Okay.

17 STEVENS: And they pay us for the use of the beds, as
18 well--

19 BLOOM: Correct.

20 STEVENS: --which is quite significant, so we're--
21 we're very happy with that agreement. The--it needs
22 to be signed by the president of the Commissioners--

23 BLOOM: We got it.

24 STEVENS: --and--and we'll be set to go. I got to
25 get it back to the marshals, and everything stands as

0044

1 signed and--

2 BLOOM: So, we need to--

3 STEVENS: --what was it, '99?

4 BLOOM: --vote on this.

5 IRVING: I'm going to ask a question.

6 ELSER: Yes.

7 IRVING: On an average, how many prisoners do we have
8 in the jail from the U.S. Marshals?

9 STEVENS: From the marshal service we have been
10 averaging over the 30 that we promised, which is good
11 for us because that--the payment is per day, per
12 prisoner--

13 IRVING: Right.

14 STEVENS: --and it's almost \$50.00, so--

15 IRVING: That's great.

16 STEVENS: --it adds up quickly and then that goes
17 back into the General Fund to support all the
18 projects that usually come back to the justice system
19 as well, so--

20 IRVING: Okay.

21 STEVENS: --we hope to--we're happy to support it.

22 IRVING: I'll entertain a motion.

23 BLOOM: So moved.

24 ROUSSEAU: Second.

25 IRVING: All in favor say, "Aye."

0045

1 ROUSSEAU: Aye.

2 BLOOM: Aye.

3 IRVING: Aye. Motion carried.

4 STEVENS: Thank you.

5 BLOOM: Thanks.

6 IRVING: The Juvenile Justice Center has three change
7 orders. Strahm, change order 25 for \$182.00, Celina
8 Glass Company, change order number one for a
9 reduction of \$188.25, and Current, Incorporated for

10 an increase of \$2,925.00. The large one from
11 Current, Incorporated is because of the sanitary
12 sewer connection, we need to put a treble hook and I
13 apologize, I'm really not quite sure--
14 BLOOM: A what?
15 IRVING: A treble hook.
16 BLOOM: I want one of those in my place, too.
17 IRVING: After coming from the meeting today--what
18 can we say--and the \$182.00 is the mop sink that
19 they're putting in the--the janitor's closet in the
20 B-216 unit, so--
21 BLOOM: Oh, it's not trouble--
22 IRVING: --I'll entertain a motion.
23 BLOOM: --it's treble.
24 IRVING: Treble hook, isn't that what I said?
25 BLOOM: No.

0046
1 ROUSSEAU: I'd like to move that we approve--
2 IRVING: Oh, a treble hook, excuse me. We're treble
3 hooking.
4 ROUSSEAU: Yes, I'd like to move that we approve
5 these change orders.
6 BLOOM: And I'll second that.
7 IRVING: All in favor say, "Aye."
8 ROUSSEAU: Aye.
9 BLOOM: Aye.
10 IRVING: Aye. Do you have one in your bathroom.
11 ROUSSEAU: No, I'm--
12 IRVING: Okay.
13 ROUSSEAU: --really sorry, what--we've not had a lot
14 of trouble over there, but we might.
15 IRVING: I think we have the highway department next.
16 Approve change order number four for Carroll Road,
17 Project 01-097--
18 BLOOM: Hi, Mike.
19 IRVING: --for a decrease with Wayne Asphalt for
20 \$16,436.78.
21 BLOOM: I'll surely make a motion on that one.
22 ROUSSEAU: Second.
23 IRVING: All in favor say, "Aye."
24 ROUSSEAU: Aye.
25 BLOOM: Aye.

0047
1 IRVING: Aye.
2 BLOOM: Let him introduce himself.
3 IRVING: Are you running this meeting or am I?
4 FITCH: Mike Fitch, Allen County Highway Department.
5 BLOOM: Thank you, go on.
6 IRVING: Okay.
7 BLOOM: Okay.
8 IRVING: Good morning, Mike.
9 FITCH: Good morning.
10 IRVING: Approval and accept completion of
11 construction of a new bridge on Ricker Road over
12 Natural Drain, Norfolk Southern Railroad, Project
13 00-095, Bid Reference number 48-02, API Construction.
14 BLOOM: So moved.
15 ROUSSEAU: Second.
16 IRVING: All in favor say, "Aye."
17 ROUSSEAU: Aye.
18 BLOOM: Aye.

19 IRVING: Aye. Motion carried. Approve and accept
20 completion of Vicksburg Pike in Lincoln Park
21 Industrial Park, Project 01-250, Bid Reference 47-02,
22 API Construction Corp. was the prime contractor.
23 BLOOM: So moved.
24 ROUSSEAU: Second.
25 IRVING: All in favor say, "Aye."

0048
1 ROUSSEAU: Aye.
2 BLOOM: Aye.
3 IRVING: Aye. Motion carried. Mike, aren't you glad
4 you introduced yourself.
5 FITCH: Okay.
6 IRVING: Approve purchase of a new computer for the
7 highway department for the use with GIS and access
8 databases, \$903.00. And this was coming from your
9 fund?
10 FITCH: Yes, from our--
11 IRVING: Okay.
12 FITCH: --Computer--
13 BLOOM: He's going to tell you.
14 FITCH: --and Technical Fund. This is a new
15 computer. This individual that's going to be getting
16 involved in GIS currently does not have a computer,
17 so that's why we have a new one.
18 BLOOM: Is this an additional one to the multiple
19 ones?
20 FITCH: Yeah, this is an additional one to the
21 department.
22 BLOOM: But these are--this is additional--at our
23 last meeting, we were buying them for other
24 departments, this is--
25 FITCH: That was the mon--monitors.

0049
1 BLOOM: Oh, that was the monitors, this is--
2 FITCH: Yeah, this is the actual CPU.
3 BLOOM: Okay, so moved.
4 ROUSSEAU: Second.
5 IRVING: All in favor say, "Aye."
6 ROUSSEAU: Aye.
7 BLOOM: Aye.
8 IRVING: Aye. Motion carried.
9 BLOOM: I just forgot.
10 IRVING: Mike, do you have anything else today?
11 FITCH: Just in defense of the highway department and
12 Commissioner Bloom, we are getting much better at our
13 soils analysis. If you'll notice this last year, we
14 have had very few--
15 BLOOM: Uh-huh (affirmative)--
16 FITCH: --change orders--
17 BLOOM: --addition--
18 FITCH: --involving soils. We have taken steps with
19 our projects in the last year to make sure that we
20 do--do our soils investigation, and we have those in
21 the design plans.
22 BLOOM: More borings and--
23 FITCH: So--
24 BLOOM: --yeah.
25 FITCH: --other than Coldwater Road, which is a still

0050

1 ongoing project, I still expect some change orders on
2 that, but for new projects we are--we have attacked
3 the problem, and I think we have it under control.

4 ROUSSEAU: Coldwater Road--

5 IRVING: I--I agree with you.

6 ROUSSEAU: --I don't--don't remember how far out
7 we're going, but the area by Waterswold and that area
8 through there, when will that be finished paved--
9 paving in there?

10 FITCH: We're looking at the paving should be done by
11 the end of August. I talked with Brooks Construction
12 the other day and they are planning on resurfacing
13 and having it substantially completed by the end of
14 this month, so--

15 ROUSSEAU: That's going to be--

16 FITCH: --it's going to be--

17 ROUSSEAU: --really great.

18 FITCH: --closed up pretty quickly here. This last
19 phase is going to go pretty fast.

20 ROUSSEAU: That's going to be a really great road
21 situation--

22 FITCH: Yes.

23 ROUSSEAU: --there when you get that done.

24 FITCH: It's--

25 BLOOM: From Cook to Wallen.

0051

1 FITCH: --unfortunate that goes into the city--

2 ROUSSEAU: Yeah.

3 FITCH: --it's in the city, so--

4 IRVING: Mike, I wasn't picking on you, but, you
5 know--

6 FITCH: No, no, I--

7 IRVING: --Linda's usual comment--

8 FITCH: --I take this--

9 IRVING: --is "Oh, it's bad soil."

10 BLOOM: I don't go through the theatricals.

11 IRVING: Oh, yes you do. Shall we show the tapes?

12 FITCH: I'm sure something out of there will come up
13 that we can pick on the highway department, but where
14 we are--

15 IRVING: But they pick on me--

16 FITCH: --we are--

17 IRVING: --every morning.

18 FITCH: --taking steps.

19 BLOOM: We're taking extra steps.

20 FITCH: Yes, yes.

21 IRVING: Yes, you are.

22 FITCH: Yes, trying to do--

23 IRVING: Well, thank you very much, Mike--

24 FITCH: Thank you.

25 IRVING: --and you have--

0052

1 FITCH: I appreciate it. Thank you.

2 IRVING: --a wonderful week. I like your new
3 haircut.

4 FITCH: Thank you.

5 IRVING: Do we have any other business?

6 ELSER: We have no other business.

7 IRVING: Mike, aren't you glad that all the TV
8 audience know you got a new haircut. May I please
9 have a motion to approve the--to waive the 2nd

10 Reading on matters--
11 BLOOM: We did.
12 ROUSSEAU: So moved.
13 IRVING: --conducted today? We only did the one.
14 BLOOM: Okay, I'll say it again--yes, I waive it--the
15 2nd Reading.
16 ROUSSEAU: Well, I just made a motion.
17 IRVING: Okay, it's been--
18 ROUSSEAU: Do you want me--
19 IRVING: --all in favor say, "Aye."
20 BLOOM: I'll second yours.
21 ROUSSEAU: Okay, good. Motions been made and
22 seconded, Madam President.
23 IRVING: All in favor say, "Aye."
24 ROUSSEAU: Aye.
25 BLOOM: Aye.

0053

1 IRVING: Aye. Motion carried. Do we have any
2 comments from public today? Any comments? (No
3 response.) Hearing none, thank you very much and
4 we'll see you next week.

5
6
7 (Adjourned 10:43 a.m.)
8 * * *

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
0054

1 1 STATE OF INDIANA)
2) SS:
3 2 COUNTY OF ALLEN)
4 3 REPORTER'S CERTIFICATE
5 4 I, M. Joshua Osbun, a Notary Public in and
6 5 for the State of Indiana, County of Allen, do hereby
7 6 certify that the above and foregoing is a true and
8 7 accurate transcript of the Board of Commissioners of
9 8 the County of Allen, Legislative Session, held before
10 9 me on August 6, 2003 in the Allen County
11 10 Commissioner's Courtroom, Room 200, City-County
12 11 Building, 1 East Main Street, Fort Wayne, Allen
13 12 County, Indiana; that I am not related to, employed
14 13 by or interested in any of the parties to this cause
15 14 of action.
16 15 IN WITNESS WHEREOF, I have hereto affixed my
17 16 hand and seal this 11th day of August, 2003.

17 17
18 18

M. Joshua Osbun, Notary Public
Residing in Allen County, Indiana

19 19
20 20

My Commission Expires:

21 21 May 14, 2010

22
23
24
25