



BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEN
Citizens Square Suite 410 · 200 East Berry Street · Fort Wayne, IN 46802

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RICHARD E. BECK THERESE M. BROWN F. NELSON PETERS

MINUTES

Commissioners' Legislative Session
10:00 AM Friday, October 25, 2019
Council Chambers Courtroom – Citizens Square

Commissioners Present:

Nelson Peters, Therese Brown and Rich Beck

Others Present:

Chris Cloud	Commissioners Office
Mike Green	Commissioners Office
Robin Minniear	Commissioners Office
Bill Fishing	County Attorney
Charity Murphy	Human Resources
Shinisha Grayson	Human Resources
Tom Fox	ACDEM Director
Bill Hartman	Highway Director
Josh Goodman	RQAW

Commissioner Peters called the meeting to order at 10:05 AM. Commissioner Peters led the meeting with the Pledge of Allegiance and a moment of silence.

- 1. Consider approval of the minutes of October 18, 2019.** Commissioner Beck made a motion to approve minutes of October 18, 2019. Commissioner Brown seconded the motion. Motion carried 3-0.
- 2. Consider approval of settlement agreements on behalf of the Allen County Sheriff's Department:** Assistant county attorney Spencer Feighner presented recommendations on two settlement agreements for the Allen County Sheriff's Department. In the first suit, inmate Terry Ray Dowell brought a claim against the county, Sheriff David Gladieux and Jail Commander Alan Cook. He alleged insufficient care and physical accommodations for his medical condition in the Allen County Superior Court suit. Through mediation, a \$2,500 settlement was reached and approved following a motion by Commissioner Brown, seconded by Commissioner Beck, and a 3-0 vote. In the second Allen Superior Court suit, Dorrion Jefferson alleged he suffered harm resulting from a November 20, 2017 jail house fire which had been set by inmates and extinguished by jailers. His medical claim was also settled for \$2,500. Commissioner Beck inquired, and Feighner confirmed, that the same law firm represented both of these complainants. Commissioner Brown made a motion to approve the Jefferson settlement, and was seconded by Commissioner Beck. That motion also passed with a 3-0 vote.
- 3. Consider approval of agreement between the Board of Commissioners and PMA Management Corporation for third-party administration services of commercial automobile and general liability claims:** Director of Human Resources Charity Murphy recommended switching to a new vendor, PMA Management Corporation, as the third-party administrator of commercial auto and general liability claims because of a considerably lower bid of \$26,000 annually, which includes a \$2,500 one-time start-up fee. Following the two-year

initial contract, the contract will be renegotiated. Commissioner Beck inquired if there were currently any open liability claims with the previous TPA which will cause difficulties in the switch-over and Murphy noted that all had been closed out so that was not going to be an issue. Commissioner Brown made a motion approving PMA Management Corporation as the third-party commercial auto and general liability insurer, and was seconded by Commissioner Beck. The motion passed with a 3-0 vote.

4. **Consider approval of partner license agreement between the Board of Commissioners and Food Rescue US on behalf of the Allen County Department of Environmental Management:** Tom Fox, Director of Allen County Department of Environmental Management (ACDEM), explained the need for a licensing agreement with the non-profit group, Food Rescue US, whose purpose is to assist communities suffering from food insecurity. By using the programs' no-cost digital app, food vendors, such as restaurants, caterers and event centers, can connect and donate unused food to shelters, soup kitchens and rescue missions, thereby reducing food waste. ACDEM is merely acting as the conduit to locate donors and find recipients. Commissioner Beck inquired if there was any liability inherent in the program and Fox noted that food vendors have to sign off on their donations so the county would not be liable for anything and there is no cost for Allen County to participate. Recipients could include Community Harvest Food Bank and the Fort Wayne Rescue Mission. Commissioner Brown made a motion to approve the Food Rescue US agreement as presented, and was seconded by Commissioner Beck. The motion passed with a 3-0 vote.
5. **Consider approval of Agreement between the Board of Commissioners and USI Consultants for Scoping Study for Bluffton Rd Bridge # 257 over Harber Drain, Project # 0100519; in the amount of \$5,000.00.** Allen County Highway Superintendent Bill Hartman explained that 25 bridges had previously been identified as needing replacement by INDOT by 2025 and these are being inspected for this purpose. He presented an agreement with USI Consultants of Indianapolis to inspect and scope Bluffton Rd Bridge #257 over Harber Drain at a cost of \$5,000. Commissioner Beck made a motion to approve the agreement, was seconded by Commissioner Brown, and the motion passed with a 3-0 vote.
6. **Consider approval of Agreement between the Board of Commissioners and Engineering Resources, Inc. for Scoping Study for Amber Rd Bridge # 226 over Little River, Project # 0100119; in the amount of \$5,000.00.** Allen County Highway Superintendent Bill Hartman explained that 25 bridges had previously been identified as needing replacement by INDOT by 2025 and these are being inspected for this purpose. He presented an agreement with Engineering Resources Inc. of Fort Wayne to inspect and scope Amber Rd Bridge #226 over Little River at a cost of \$5,000. Commissioner Beck made a motion to approve the agreement, was seconded by Commissioner Brown, and the motion passed with a 3-0 vote.
7. **Consider approval of Warranty Deeds for Griffin Rd Culvert 5225 over Natural Drain, Project # 1800218.** Hartman explained that warranty deeds had been obtained at no cost for a road widening project to chip and seal Griffin Road. Commissioner Brown made a motion to approve the warranty deeds and was seconded by Commissioner Beck. The motion passed with a 3-0 vote.
 - a. **Parcel 1 – Fort Wayne Chapter of Izaak Walton League of America, Inc.**
 - b. **Parcel 3 – Freygang-James**
8. **Consider approval of Warranty Deed for Ternet Rd Bridge # 298 over Ellison Ditch, Project # 0100316.** Hartman explained that warranty deeds had been obtained at no cost for a road widening project to chip and seal Griffin Road. Commissioner Beck made a motion to approve the warranty deeds and was seconded by Commissioner Brown. The motion passed with a 3-0 vote.
 - a. **Parcel 1 – Veatch**

- 9. Consider approval for the following Annual Bids for the Highway Department:** Hartman presented the bids as received for 2020 highway department products. These were all approved following a motion by Commissioner Brown, who was seconded by Commissioner Beck. The motion carried with a 3-0 vote.
- a. Aggregate – Bid Ref # 17-19:** Six bids, up 5.5% over last year, recommend to approve multiple awards.
 - b. Bituminous patching Materials – Bid Ref # 18-19:** Four bids, down 6% over last year, recommend to approve all bids received.
 - c. Corrugated Steel-Plastic Pipe – Bid Ref # 19-19:** Three bids, same as last year, recommend to approve multiple bids.
 - d. Guardrail – Bid Ref # 20-19:** One bid received, up 3.2% from last year, approve and award this bid to Specialties Company, LLC.
 - e. Hydroseeding Materials – Bid Ref # 21-19:** Three bids received, up 1.5% over last year, recommend to award the bid to AG Plus of South Whitley.
 - f. Liquid Bituminous Materials – Bid Ref #22-19:** Three bids received, down 1.6% from last year, recommend approve and award multiple contracts for this material.
 - g. Liquid Calcium Magnesium Chloride – Bid Ref # 23-19:** One bid received, up 2.6% from last year. Recommend bid be awards to Great Lakes Chloride Inc. of Warsaw.
 - h. Treated Timber Structures – Bid Ref # 25-19:** One bid received, even with last years' award, recommend award a contract to American Timber Bridge Inc. of Portage, Mich.
- 10. Consider approval of claims for payment.** Commissioner Beck made a motion to approve the claims as submitted in the amount of \$4,667,708.53. Commissioner Brown seconded the motion, which passed with a 3-0 vote.
- 11. Ratification of plat for approval: Rapids of Copper Creek Section I:** The plat for the Rapids of Copper Creek Section I was ratified as presented following a motion by Commissioner Brown, seconded by Commissioner Beck, and a 3-0 vote.
- 12. Other Business:** None.
- 13. 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 25, 2019.** Commissioner Brown made a motion to approve the waiving of the 2nd Reading on any matter approved today and for which it may be deemed necessary for the Legislative Session of October 25, 2019. Commissioner Beck seconded the motion. Motion carried 3-0.
- 14. Comments from the Public:** None.
- 15. Motion to Adjourn.** Meeting was adjourned at 10:23 AM.

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.