



BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEN
Citizens Square Suite 410 · 200 East Berry Street · Fort Wayne, IN 46802
Phone: 260.449.7555 FAX: 260.449.7568

LINDA K. BLOOM THERESE M. BROWN NELSON PETERS

AGENDA

Commissioners' Legislative Session
10:00 AM Friday, February 22nd, 2013
Council Chambers Courtroom – Citizens Square

1. Approval of the minutes of February 15th, 2013.
2. Approval of addition to Allen County Code Title 12 (Financial) – Article 192 (Violent Offender Administration Fund).
3. Approval of Vacation Day Bank for Confinement Officer on behalf of the Allen County Sheriff's Department.
4. Amendment to Allen County Code Title 3 (Zoning) – Article 4 (Administration) – Chapter 7 (Permits) relating to the Department of Health.
5. Amendment to Allen County Code Title 3 (Zoning) – Article 4 (Administration) – Chapter 7 (Permits) relating to the Allen County Surveyor.
6. Report of Contract Final Inspection and Recommended For Acceptance for Maplecrest Rd from SR 930 to Lake Avenue, Project # 00-227.
7. Sign Request-
 - a. Webster Rd and Old 24 –Post 4 – way “STOP” – traffic signal is no longer warranted.
8. Appointments to the Emergency Management Advisory Council.
9. Plat for Signature: Shearwater, Section IV.
10. Other Business:
11. Approval to waive the 2nd Reading on any matter approved today and for which it may be deemed necessary for the Legislative Session of February 22nd, 2013.
12. Comments from the Public.
13. Motion to Adjourn.

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.



THE BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEN

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Phone: 260.449.7555 · Fax: 260.449.7568 · Email: commissioner@allencounty.us

Linda K. Bloom Therese M. Brown Nelson Peters

February 22, 2013 Legislative Session Sign-in Sheet

NAME (Please Print)

REPRESENTING

Kim Bowman

DPS

Michelle Wood

DPS

Tim Lee

CCP

BILL HARTMANS

HIGHWAY

KEVIN NEUMAYER

FREEDOM CONSULTING LLC



BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEN

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NELSON PETERS LINDA K. BLOOM THERESE BROWN

MINUTES

Commissioners' Legislative Session
10:00 a.m. Friday, February 15, 2013
Council Chambers Courtroom – Citizens Square

Commissioners Present: Therese Brown, Nelson Peters and Linda Bloom

Others Present:	Chris Cloud	Commissioners Office
	Mike Green	Commissioners Office
	Bill Fishing	County Attorney
	Sheila Hudson	ACCC
	Tera Klutz	Auditor
	Susan Orth	Treasurer
	Ken Neumeister	Freedom Consulting
	Vivian Sade	Journal Gazette
	Kevin Leininger	News Sentinel

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

- 1. Approval of the minutes of February 8th, 2013.** Commissioner Brown made a motion to approve the minutes of February 8, 2013. Commissioner Peters seconded the motion. Motion carried 3-0.
- 2. Approval of agreement for auctioneering services for the 2013 Allen County Tax Sale.** Susan Orth, Treasurer, stated this is a contract for an auctioneer for the annual tax sale on October 2nd. We are looking at Harvey Auctions again, the same person we used last year. He will charge \$52.50 an hour. Last year it was \$37.50 but he needs another assistant to be able to make it go smoother this year. This is still lower than the lowest bid we had when we put it out for bid last year which was \$75 an hour. Commissioner Bloom made a motion that we approve the agreement for auctioneering services with Harvey Auctions for the 2013 Allen County Tax Sale. Commissioner Peters seconded the motion. Motion carried 3-0.
- 3. Approval of Application Service Provider Agreement between the Board of Commissioners and SunGard Public Sector Inc. on behalf of the Allen County Auditor.** Tera Klutz, Auditor, presented this item. She stated our current financial software agreement is up and she requested that we sign a new 5 year extension. She stated she has been informed that HR is looking for a new system and we would be permitted to switch platforms if the HR department determined that the platform in one solution, the Windows environment system that HTE offers would be something that would suit the County and for them they are currently undergoing an extensive review of a bunch of software systems. Commissioner Peters asked if that was basically an "out" clause if they moved in that direction we could get out of it. Tera responded yes sir. Commissioner Peters made a motion to approve the Application Service Provider Agreement between the Board of Commissioners and SunGard Public Sector Inc. on behalf of the Allen County Auditor. Commissioner Bloom seconded the motion. Motion carried 3-0.
- 4. Approval of agreement to provide training services between the Board of Commissioners and Blue Jacket, Inc on behalf of Community Corrections.** Sheila Hudson, Community Corrections, stated this contract is a year contract. It is a wrap-around employment services contract. County Attorney Tom Hardin has been involved in all parts of this agreement. Blue Jacket has expanded out so much that it is

time that the Commissioners are intimately involved in that. Blue Jacket has a temp agency called a career academy and a clothing bank set up at the new site. They have dropped the cost per offender for the academy itself from \$450 to \$287. The only cost to the offender is \$30 for the materials and costs to go through it. Commissioner Brown asked what level of offender qualifies for this. Sheila stated that Blue Jacket accepts everybody. In fact, one of the reasons why he spun the program out of Community Corrections was he wanted to serve the people that are underemployed or not employed that are not in the criminal justice system too so he does work with a lot of non-profits in the area. He is also expanding out into probation and parole with the same contract only with probation and parole at the top. So community supervision people that are in the criminal justice system but also outside. Commissioner Brown asked if this sort of dovetails potentially with workforce development at another level giving people the opportunity to get training and assistance? Sheila said dovetail would be a good word. Commissioner Peters said he heard we were going from \$450 to \$287 and asked what the bottom line was for Community Corrections. What does it cost per year? Sheila said there is \$80,000 appropriated in the Community Corrections training line item through the State Department of Correction and they also have training dollars in the project income fund. There is also money that is awarded from the Indiana Supreme Court for persons that are coming through on problem solving courts. \$10,000 can be paid out of that fund. Some money in project income and then \$80,000 out of the state grant. Commissioner Peters asked how many people per year go through the program. Sheila stated one hundred from Community Corrections alone that graduate. Commissioner Peters asked Sheila what she views as success with the clientele going through the Blue Jacket program. Sheila stated that if they actually complete the 4 week academy and that they get placed in temporary employment and then get hired on as a permanent employee. Commissioner Bloom made a motion to accept the agreement to provide training services between the Board of Commissioners and Blue Jacket, Inc. on behalf of Community Corrections. Commissioner Peters seconded the motion. Motion carried 3-0.

5. **Approval of Vacation Bank Request on behalf of the Allen County Sheriff's Department.** Chris Cloud, Executive Assistant, stated the Sheriff requested that a vacation bank be established for one of his officers at the jail. Commissioner Bloom made a motion to approve the Vacation Bank Request on behalf of Allen County Sheriff's Department. Commissioner Peters seconded the motion. Motion carried 3-0.
6. **Other Business:**
7. **Approval to waive the 2nd Reading on any matter approved today and for which it may be deemed necessary for the Legislative Session of February 15th, 2013.** Commissioner Peters 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 February 15, 2013. Commissioner Bloom seconded the motion. Motion carried 3-0.
8. **Comments from the Public.**
9. **Motion to Adjourn.** There being no further business, the meeting was adjourned at 10:18 a.m.

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02-22-13-06

**ALLEN COUNTY CODE TITLE 12
FINANCIAL**

ARTICLE 192

**AN ORDINANCE ESTABLISHING AN ANNUAL SEX OR
VIOLENT OFFENDER REGISTRATION FEE, A SEX OR
VIOLENT OFFENDER ADDRESS CHANGE FEE, AND
ESTABLISHING THE ALLEN COUNTY SEX OR
VIOLENT OFFENDER ADMINISTRATION FUND**

WHEREAS, the Board of Commissioners of Allen County, Indiana (“Commissioners”) is the executive and legislative body for Allen County, Indiana;

WHEREAS, subject to the provisions of Ind. Code § 36-2-13-5.6, the Commissioners may require the Allen County Sheriff to collect an annual sex or violent offender registration fee and a sex or violent offender address change fee; and,

WHEREAS, the Commissioners desire to establish the Allen County Sex or Violent Offender Administration Fund to fund the administration of the sex or violent offender registration system.

NOW THEREFORE, be it ordained by the Board of Commissioners of Allen County, Indiana that the annual sex or violent offender registration fee, sex or violent offender address change fee, and the Allen County Sex or Violent Offender Administration Fund are hereby established, as follows:

12-192-1 Chapter 1: Creation of Fund and Purpose

12-192-1-1

There is hereby created a fund to be known as the Allen County Sex or Violent Offender Administration Fund. The purpose of the fund is to defray the expense of administering or ensuring compliance with the laws concerning the Indiana Sex and Violent Offender Registry.

12-192-2 Chapter 2: Fees, Payment and Procedures

12-192-2-1 Fees

Registration Fee. The annual fee for sex and violent offenders registering in Allen County shall be Fifty Dollars (\$50.00). Payment of the fee shall be made upon the offender’s initial registration in Allen County and subsequently on or before each annual registration date.

Change of Address Fee. A fee of Five Dollars (\$5.00) shall be charged and collected each time a sex or violent offender registers an address change with the Allen County Sheriff's Department.

12-192-2-2 Payment of Fees

All fees collected under this ordinance shall be collected by the Allen County Sheriff's Department when a sex offender registers with the Allen County Sheriff's Department.

12-192-2-3 Procedures

All fees collected under this ordinance by the Allen County Sheriff's Department shall be transferred to the Allen County Auditor in a timely manner. The Allen County Auditor shall:

- (a) Deposit ninety percent (90%) of any fees collected under this ordinance in the Allen County Sex and Violent Offender Administration Fund; and
- (b) Transfer ten percent (10%) of any fees collected under this ordinance to the Treasurer of the State of Indiana for deposit in the state sex and violent offender administration fund under Ind. Code § 11-8-8-21.

12-192-3 Chapter 3: Administration of Fund

12-192-3-1

A county fiscal body shall appropriate money from the Allen County Sex or Violent Offender Administration Fund to an agency or organization involved in the administration of the sex and violent offender registry to offset or defray the expense or administering or ensuring compliance with the laws concerning the Indiana sex and violent offender registry.

12-192-4 Chapter 4: Violations

12-192-4-1

Any sex and violent offenders who fail to pay their initial or annual fee to the Allen County Sheriff shall be subject to civil proceedings in a Court of competent jurisdiction, including but not limited to Allen Superior Court, where they may be fined a maximum of One Hundred Dollars (\$100.00) plus court costs and attorney's fees for an initial offense and up to One Thousand Dollars (\$1,000.00) plus court costs and attorney's fees for any subsequent offense.

Chapter 5: Investment and Non-Reversion

12-192-5-1

All amounts placed in the Fund shall be invested and accrue interest. Said funds shall not revert to the General Fund at the end of the year.

#4

COMES NOW the Board of Commissioners of the County of Allen, State of Indiana, pursuant to authority vested in it by Indiana Code § 36-7 et. seq., as amended, and enacts the following ordinance.

**Allen County Code Title 3:
Allen County Zoning Ordinance
Amendment No.**

WHEREAS the Allen County Plan Commission proposes to amend a portion of the text of the Allen County Zoning Ordinance Title 3, specifically the following:

A.C.C. 3-4-7-1, Chapter 7 (Improvement Location Permit): 3-4-7-1(a)(1). This amendment requires the Allen County Department of Health to approve septic plans prior to issuance of an Improvement Location Permit.

WHEREAS the Allen County Department of Planning Services staff prepared the amendment and presented it to the Plan Commission; and


WHEREAS the Allen County Plan Commission published the required notice and held a public hearing on this proposed text amendment on the 14th day of February 2013; and

WHEREAS, after deliberating, the Plan Commission resolved to recommend the proposed amendment be added to the existing Title 3; now, therefore,

BE IT ORDAINED by the Board of Commissioners of the County of Allen, State of Indiana, that the Board concurs with the Plan Commission's recommendation and approves this amendment to Allen County Title 3;

ENACTED THIS 22 day of February, 2013.

**THE BOARD OF COMMISSIONERS
OF THE COUNTY OF ALLEN,
STATE OF INDIANA**



Linda K Bloom



F Nelson Peters



Therese M Brown

Attest:



Tera Klutz, Auditor

#5

COMES NOW the Board of Commissioners of the County of Allen, State of Indiana, pursuant to authority vested in it by Indiana Code § 36-7 et. seq., as amended, and enacts the following ordinance.

**Allen County Code Title 3:
Allen County Zoning Ordinance
Amendment No.**

WHEREAS the Allen County Plan Commission proposes to amend a portion of the text of the Allen County Zoning Ordinance Title 3, specifically the following:

A.C.C. 3-4-7-1, Chapter 7 (Improvement Location Permit): 3-4-7-1(a)(2). This amendment requires the Allen County Surveyor's Office to approve a site development drainage plan prior to issuance of an Improvement Location Permit.

WHEREAS the Allen County Department of Planning Services staff prepared the amendment and presented it to the Plan Commission; and

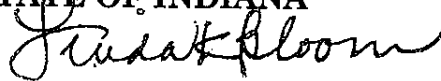
WHEREAS the Allen County Plan Commission published the required notice and held a public hearing on this proposed text amendment on the 14th day of February 2013; and

WHEREAS, after deliberating, the Plan Commission resolved to recommend the proposed amendment be added to the existing Title 3; now, therefore,

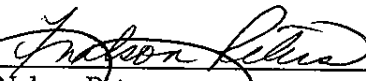
BE IT ORDAINED by the Board of Commissioners of the County of Allen, State of Indiana, that the Board concurs with the Plan Commission's recommendation and approves this amendment to Allen County Title 3;

ENACTED THIS 22 day of February, 2013.

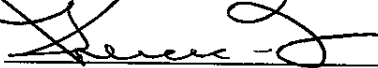
**THE BOARD OF COMMISSIONERS
OF THE COUNTY OF ALLEN,
STATE OF INDIANA**



Linda K Bloom

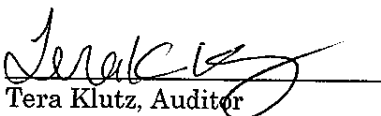


F Nelson Peters



Therese M Brown

Attest:


Tera Klutz, Auditor

#16

REPORT OF CONTRACT FINAL INSPECTION AND RECOMMENDATION FOR ACCEPTANCE

Contract R-31752 Project 0201084

Date Construction Completed October 30, 2012
(The date all items were completed, except punch list & removal of traffic control devices)

Preliminary Inspection made by Jim Keefer, Brian Bauermeister - INDOT; Kyle Winling, Bill Hartman, Mike Thornson - ACHD; Denny Bruce, Doug Hilkey, Dawn Ritchie- City of Fort Wayne; Eric Von Hoven - Clark-Dietz Todd Fredrick, Linda Trosvig, Todd Hyder - Primco on November 19, 2012

Date Punch List Items Completed December 3, 2012

Sod Maintenance Expired on November 5, 2012

Date Sod Repaired, if necessary N/A

Date Failed Material Replaced N/A

Final Inspection made by Brian Bauermeister- INDOT; Kyle Winling ACHD

on February 13, 2013 and all was found to be satisfactory from Station 9+00 to Station 88+00

Date Construction Signs and Temporary Traffic Control Devices Removed February 15, 2013

Pavement Smoothness (does) (does not) comply with the Specifications.

Pavement Markings (have) (have not) been placed in accordance with the IMUTCD manual or as directed by the District Traffic Engineer.

Right-of-Way (is) (is not) clear of all encroachments.

Date of Last Work February 15, 2013

Release of Maintenance February 15, 2013

RECOMMEND ACCEPTANCE

DISTRICT CONSTRUCTION DIRECTOR

Allen County LOCAL PUBLIC AGENCY

* County or city signatures when required (at least two)

* By: [Signature]
Therese M. Brown
* By: [Signature]
F. Nelson Peters
* By: [Signature]
Linda K. Bloom

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ALLEN COUNTY HIGHWAY DEPARTMENT
OFFICE OF TRAFFIC ENGINEER
TRAFFIC CONTROL AUTHORIZATION FORM CTE-13

NAME OF ROAD: ~~North~~ Webster Rd.

TOWNSHIP: Milan

LOCATION: @ Old 24

FROM WHERE:

TO WHERE:

NAME OF SUBDIVISION:

REQUESTED BY: Mike Eckert

NATURE OF SIGNAGE: Post Four Way Stop

REMARKS OF TRAFFIC ENGINEER: Traffic signal is no longer warranted

APPROVED BY:



TRAFFIC ENGINEER

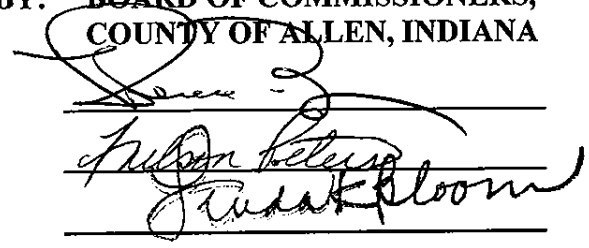
APPROVED BY:

**BOARD OF COMMISSIONERS,
COUNTY OF ALLEN, INDIANA**

APPROVED BY:



EXECUTIVE DIRECTOR



ORIGINAL TO COMMISSIONERS RECORD

DATE OF APPROVAL: _____

CC: ALLEN COUNTY SHERIFF
ALLEN COUNTY TRAFFIC DEPARTMENT

HWY006, 05/00