



**BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEN  
Council Chambers Courtroom - Citizens Square  
200 East Berry Street, Room 035  
Fort Wayne IN 46802**

**MINUTES**

**Board of Commissioners' Legislative Session  
September 29, 2023**

Commissioners Present: Therese M. Brown, F. Nelson Peters  
Commissioner Absent: Richard E. Beck

**Call to Order** Commissioner Therese M. Brown called the legislative session to order at 10:06 AM.

**Pledge of Allegiance and Moment of Silence**

**1. Items for Consideration:**

**1.a Consideration of the approval of minutes of the September 22, 2023, legislative session.**

F. Nelson Peters made a motion to Approve. Therese M. Brown seconded the motion. Motion Passed 2 - 0

**1.b Consideration of claims submitted for the period of September 19 to 26, 2023, in the amount of \$1,472,474.80.**

F. Nelson Peters made a motion to Approve. Therese M. Brown seconded the motion. Motion Passed 2 - 0

**1.c Consideration of agreement with Tax Management Associates for business personal property tax audits in the Allen County Assessor's Office.**

Assessor Stacey O'Day explained that an audit of personal tax returns had not been conducted since 2013, at which time it was found that 908 individuals were underpaying and about 200 were overpaying on their personal property taxes. Through this contract, a professional CPA will review returns, with any fees charged to be covered by the new AV brought into the county. She also mentioned that those taxpayers selected for audit may have records reviewed for up to ten years.

F. Nelson Peters made a motion to Approve. Therese M. Brown seconded the motion. Motion Passed 2 - 0

**1.d Consideration of Bid Award for Bid Ref #13-2023 for Darling Rd Small Structure #112003, New Bridge #121, over Reichelderfer Ditch, Project #0100121; to the lowest bidder, Jutte Excavating, Inc., in the amount of \$560,000.00.**

Allen County Highway Director Bill Hartman presented a bid recommendation and noted that it was 30 percent under the engineer's estimate of \$794,246.42, and \$70K under the next lowest bid. Hartman said he highly recommended approval.

F. Nelson Peters made a motion to Approve. Therese M. Brown seconded the motion. Motion Passed 2 - 0

**1.e Consideration of Warranty Deed for Worden Rd Small Structure #116005, New Bridge #328, over Hamm Interceptor, Project #1500221.**

**a. Stateline Farms, LLC**

Allen County Highway Director Bill Hartman noted that this was the third of four parcels required for this project, which is slated for bid late this year.

F. Nelson Peters made a motion to Approve. Therese M. Brown seconded the motion. Motion Passed 2 - 0

**1.f Consideration of Warranty Deed for Rupert Rd at SR 37, Project #1200319.**

**a. Parcel 1 & 1A - Stauffer**

Highway Director Bill Hartman said this was the only parcel required for the project, and it will be bid in 2025.

F. Nelson Peters made a motion to Approve. Therese M. Brown seconded the motion. Motion Passed 2 - 0

**1.g Consideration of Perpetual Trail easement for Cedar Creek Park Trail, Project #2900218.**

**a. Parcel 7 – Amandus Group**

Allen County Highway Director Bill Hartman noted that this was the last parcel required for this Grabill project, and bidding will take place soon.

F. Nelson Peters made a motion to Approve. Therese M. Brown seconded the motion. Motion Passed 2 - 0

**1.h Consideration of Perpetual Highway easements for Sandpoint Rd.**

**a. Hanson Midwest Aggregates**

Bill Hartman, highway director, explained that this easement will give right of way so that a cul-de-sac can be constructed.

F. Nelson Peters made a motion to Approve. Therese M. Brown seconded the motion. Motion Passed 2 - 0

**1.i Consideration of Sign Requests to post Stop signs in the following subdivisions:**

**a. Livingston Lakes Subdivision**

1. Fazio Dr at Livingston Lakes Way
2. Cedarmont Dr at Livingston Lakes Way

- 3. Marabella Court at Livingston Lakes Way
- b. Arthur Heights Subdivision
  - 1. Arthur Heights Drive at Bass Rd
  - 2. Arusha Court at Arthur Heights Drive
  - 3. Shelley Court at Arthur Heights Drive
  - 4. Arthur Heights Drive at Halen Hill Court
- c. Chestnut Creek Subdivision
  - 1. Chestnut Creek Blvd at Scott Rd
- d. Signal Ridge Subdivision
  - 1. Signal Ridge Run at Bass Rd
  - 2. Iron Works Way at Signal Ridge Run
  - 3. Signal Ridge Run at Catesby Court
  - 4. Pleasant Hill Place at Catesby Court
- e. Palmira Lakes Subdivision
  - 1. Hager Way at Bass Rd
  - 2. Kendrick Court at Hager Way
  - 3. Hager Way at Fazio Drive
  - 4. Koehler Place at Fazio Drive
- f. Cypress Pointe Subdivision
  - 1. Lolusa Way at West County Line Rd
  - 2. Lago Court at Lolusa Way
  - 3. Zebulon Cove at Lolusa Way
- g. Bentley Estates
  - 1. McLaren Blvd at Ascari Cove
  - 2. McLaren Blvd at Bass Rd
  - 3. Ascari Cove at Lagonda Trail

F. Nelson Peters made a motion to Approve. Therese M. Brown seconded the motion. Motion Passed 2 - 0

**1.j Consideration of the 2024 Holiday Schedule.**

Chief of Staff Chris Cloud noted that this holiday schedule is concurrent to the City of Fort Wayne.

F. Nelson Peters made a motion to Approve. Therese M. Brown seconded the motion. Motion Passed 2 - 0

**1.k Consideration of appointment to the Three Rivers Ambulance Authority Board of Directors.**

Chief of Staff Chris Cloud presented the appointment recommended of Dr. Matthew Sutter to the TRAA Board of Directors. He noted that the appointment was effective upon approval with an indefinite term, meaning that he will serve until removed by action of the Board of Commissioners.

F. Nelson Peters made a motion to Approve. Therese M. Brown seconded the motion. Motion Passed 2 - 0

**1.l Consideration of appointment to the Allen County Board of Health.**

Chief of Staff Chris Cloud presented the name of Dr. Craig Bolinger to serve on the Allen County Board of Health, effective January 1, 2024, for a three-year term. He was the recommendation of the City of Fort Wayne. We are still awaiting a recommendation from the

City of New Haven, and Allen County Council will also make an appointment to the BOH under new Indiana Code.

F. Nelson Peters made a motion to Approve. Therese M. Brown seconded the motion. Motion Passed 2 - 0

**1.m Consideration of repeal of Allen County Code Title 12 (Financial) – Article 10 (County Liability Fund).**

Chief of Staff Chris Cloud explained this was an outdated fund with a zero balance, and it was the recommendation of the auditor’s office to repeal.

F. Nelson Peters made a motion to Approve. Therese M. Brown seconded the motion. Motion Passed 2 - 0

**2. Other Business:** None.

**3. Approval to waive the 2nd Reading on any matter approved today and for which it may be deemed necessary for today's Legislative Session.**

F. Nelson Peters made a motion to Approve. Therese M. Brown seconded the motion. Motion Passed: 2 - 0

**4. Comments from the Public:** None.

**5. Motion to Adjourn** The legislative session was adjourned at 10:21 AM by Commissioner Brown.

These Minutes were approved as distributed at the Board of Commissioners meeting on

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\_\_\_\_\_, Therese M. Brown, President

\_\_\_\_\_, Richard E. Beck Jr, Vice President

\_\_\_\_\_, F. Nelson Peters, Secretary

Any individual with a disability who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Allen County, should contact the Allen County ADA and Title VI Coordinator Laura Maser, (260) 449-7555, [laura.maser@allencounty.us](mailto:laura.maser@allencounty.us), as soon as possible but no later than seventy-two (72) hours before the scheduled event. Individuals requiring special language services should contact the Allen County ADA and Title VI Coordinator as soon as possible but no later than at least seventy-two (72) hours prior to the date on which the services will be needed.