

THE SHELBY COUNTY COMMISSIONERS MET AT 7:00 P.M. ON MONDAY JUNE 8, 2009. PRESENT WERE COMMISSIONERS, NEWTON, MOHR, AND THE COUNTY ATTORNEY.

MINUTES:

MOTION TO APPROVE MINUTES FROM 6/1/2009 MADE BY MOHR SECOND BY NEWTON, APPROVED 2-0

PUBLIC DEFENDER POSITION:

MIKE FLYNN WITH HUMAN SERVICES PRESENTED THE NEW POSITION FOR THE PUBLIC DEFENDERS (PARALEGAL). ON JUNE 4, 2009 THE FACTORING COMMITTEE MET AND DISCUSSED THIS NEW POSITION FOR THE PARALEGAL IN THE PUBLIC DEFENDERS OFFICE. THE CONSENSUS AMONG THE FACTORING COMMITTEE WAS THIS SHOULD BE A COMOT I POSITION AND THE PAY RATE WOULD BE SOME WHERE BETWEEN \$25,871 AND \$29,986.00. LAST YEAR AT THE BUDGET HEARING THERE WAS \$30,886.00 WAS APPROVED FOR THIS POSITION, SO MONEY IS NOT AN ISSUE FOR THIS POSITION. I'M REQUESTING TONIGHT IS AN APPROVAL TO TAKE TO THE JUNE COUNCIL MEETING FOR THEIR FINAL APPROVAL OF THE POSITION. MOTION TO APPROVE MADE BY MOHR, SECOND BY NEWTON, APPROVED 2-0

SHERIFF AED'S:

ROGER CLARK PRESENTED TO THE COMMISSIONERS TONIGHT ABOUT AED'S. THEY RECENTLY REPLACED 5 OLD ONES AND USUALLY THEY TRADE THOSE IN BUT THE TRADE IN VALUE IS WAY DOWN BECAUSE THEY ARE NOT UPGRADEABLE TO THE NEW TECHNOLOGY. THERE IS NOTHING WRONG WITH THIS AND HAVE BEEN WELL MAINTAINED. IN TALKING WE THOUGHT THEY MIGHT BE GOOD IN THE COUNTY OWNED BUILDINGS. THEY ARE EASY TO USE AND ANYONE CPR CERTIFIED CAN USE THEM. THE ONLY COST THAT THE COUNTY MAY INCUR IS TO MAINTAIN A YEARLY MAINTENANCE AGREEMENT. THIS GIVES YOU BATTERY REPLACEMENT, YEARLY INSPECTION AND DISCOUNT ON PARTS AND LABOR OF THAT NATURE. YOU MAY WANT TO PURCHASE A CABINET TO PUT THIS IN. THE OTHER OPTION IS TO DONATE THESE TO VOL. FIRE DEPT., NEXT YEAR THERE ARE 7 UP FOR REPLACEMENT AND WE WILL HAVE THE SAME THING. THE MAINTENANCE AGREEMENT WAS \$225.00 PER UNIT. THEY CHECK THESE 1 TIME A YEAR. NEWTON ADVISED THAT MIKE SCHANTZ HAD LEFT HIM A MESSAGE ABOUT SOME GRANT MONIES FOR THIS, BUT HE NEEDED TO FOLLOW UP WITH HIM. MOHR WONDERED IF THEY COULD OFFER THESE TO THE FIRE DEPT. ON A FIRST COME BASIS OR JUST GIVE EACH DEPT ONE. HE IS NOT AGAINST HAVING THEM IN THE BUILDINGS, BUT THEY WOULD ONLY NEED ONE OR TWO UNLESS YOU WANT TO PUT ONE OUT AT THE HEALTH DEPARTMENT. MOTION MADE TO TAKE UNDER ADVISEMENT UNTIL NEWTON TALKS WITH SCHANTZ AND PUT IT BACK ON THE AGENDA IN A WEEK MADE BY MOHR, SECOND BY NEWTON, APPROVED 2-0. DIANE ASKED IF THE MAINTENANCE AGREEMENT IS GOOD OR IS IT EXPIRED. ROGER SAID HE WILL NEED TO LOOK INTO THIS CURRENTLY THEY ARE UNDER THE 2009 CONTRACT TO BE INSPECTED IN SEPTEMBER.

FAIR BOARD:

DOUG BROWN WITH THE FAIR BOARD PRESENTED TONIGHT A PROPOSAL FOR AN ACCESS ROAD TO BLUE RIVER PARK. THIS WOULD BE FROM THE NORTHEAST CORNER OF THE FAIR GROUNDS THAT THE COUNTY OWNS AND THEY LEASE AND THEN TYING INTO THE NEW ROAD THAT SITS ON THE WESTERN BOUNDARY OF THE PARK; THIS IS BEHIND WHERE THE SOFTBALL FIELDS ARE AT THE PARK. THEY CALCULATED IT WOULD BE ABOUT 20 FEET WIDE AND ABOUT 50 YARDS FROM OUR PROPERTY LINE AND ANOTHER 50 YARDS BACK TO THE FAIR LANE. JEFF HAS TALKED WITH THE SHERIFF WHICH SUPPORTS THIS AND THE PARK BOARD HAS APPROVED IT, THEY WOULD LIKE TO BE INVOLVED IN IT, WOULD LIKE TO LET YOU KNOW THEY ARE GOING TO PURSUE AND WOULD LIKE TO KNOW

IF YOU HAVE ANY QUESTIONS LET THEM KNOW BECAUSE YOU ARE THE PROPERTY OWNER. NEWTON ASKED IF THIS IS GOING TO BE OPEN DURING THE FAIR OR IS THIS JUST AN EMERGENCY EXIT. THEY TALKED TO THE PARKS DEPARTMENT AND WOULD LIKE TO BE ABLE TO PARK CAMPERS FOR TOURNAMENTS. THIS WILL NOT BE OPEN ALL THE TIME, BUT DURING THE FAIR AND OTHER EVENTS FOR THE PARKS DEPT. THIS WILL BE GATED. NEWTON ASKED IF THIS WOULD BE A GRAVEL ROAD OR ASPHALTED. THEY SAID IT WOULD BE GRAVEL AT THIS TIME. MOHR, SAID HE THOUGHT THIS WOULD BE A GOOD THING, BECAUSE SOMETIMES YOU HAVE TO WAIT ABOUT A HOUR BEFORE YOU CAN GET OUT WITH JUST THE ONE EXIT. NEWTON ADVISED THAT HE TALKED WITH NIGH AND HE DOESN'T HAVE A PROBLEM WITH IT. MOTION TO APPROVE MADE BY MOHR, SECOND BY NEWTON, APPROVED 2-0 , THEY THEN ASKED IF THE PARK WOULD WANT TO ASPHALT THIS WOULD IT BE POSSIBLE TO HAVE THE HIGHWAY MAINTAIN THIS, NEWTON ADVISED FOR THE COUNTY PORTION THEY PROBABLY COULD, BUT AS FAR AS THE CITY THAT IS A DIFFERENT SITUATION. THIS WOULD HAVE TO HAVE AN ITERLOCAL AGREEMENT WITH THE CITY, FAIR BOARD, PARK BOARD AND COUNTY.

REQUEST TO DISPOSE:

NONE

CLAIMS:

P/R CLAIMS: MOTION TO APPROVE MADE BY MOHR, SECOND BY NEWTON, APPROVED 2-0

TANSFERS & ADDITIONALS:

HOMELAND SECURITY REQUEST FOR AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$3,976.70 IN FUND 4463-000-04-4014 (RUSH SHELBY COMMUNITY GRANT), MOTION TO APPROVE MADE BY MOHR, SECOND BY NEWTON, APPROVED 2-0

MISCELLANEOUS:

NEWTON ADVISED ABOUT A YEAR AGO THERE WAS SOME DRAINAGE ISSUES ALONG COUNTY ROAD 300 E JUST SOUTH OF 750 S. THE HOME OWNER GAVE THE COUNTY PERMISSION TO PUT IN A NEW CULVERT PIPE IN ACROSS HIS DRIVE AND THE HIGHWAY DEPT. TOOK CARE OF THAT, BUT IN ORDER TO GET IT TO WORK RIGHT, THEY HAD TO GO CLEAR ACROSS THE OWNERS PROPERTY AND CUT IT OUT. THE HOME OWNER IS NOW REQUESTING THAT THEY PUT A PIPE BACK IN THERE, BECAUSE IT IS SO CLOSE TO THE ROAD HE CAN'T MOW IT. THE OWNER IS WILLING TO PAY FOR THE PIPE IF THE COUNTY WILL DO THE WORK AND THERE IS ABOUT 144 FT. OF 12" PIPE. THE HOME OWNER WOULD LIKE TO HAVE AN AGREEMENT. NEWTON ADVISED HE WILL NEED TO COME IN AND TREAT IT AS A DRIVE WAY PERMIT. MOTION TO HAVE DIANE TYPE UP AN AGREEMENT AND MOVE FORWARD ON THIS MADE BY MOHR, SECOND BY NEWTON, APPROVED 2-0

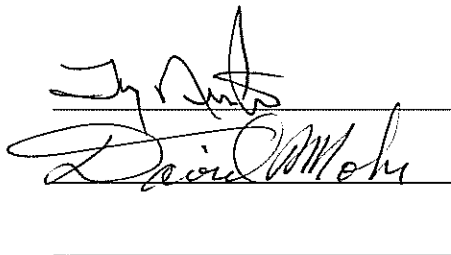
STEVEN FLOYD OF 8092 N 625 E, ABOUT A MONTH AGO MR. MOHR WAS OUT AT HIS PROPERTY AND WE HAD ABOUT 9 TO 12 INCHES OF WATER FROM THE PRIOR EVENING. AFTER TALKING WITH MR. MOHR ABOUT DRAINAGE AND THE ROAD BEING BUILT UP AND CAUSING THE WATER TO RUN ONTO MY PROPERTY WHICH THEN RUN ONTO MR. SIMPSON'S PROPERTY? HE WOULD LIKE TO KNOW WHAT THE COUNTY WOULD LIKE TO DO TO HELP ALLEVIATE SOME OF THE WATER ISSUE THAT IS BEING PUSHED OVER ON HIM BECAUSE OF THE ROAD. HE LOST HIS HOME LAST JUNE BECAUSE OF THE FLOOD. HE IS NOT THE ONLY HOME TO BE EFFECTED BY THIS. BEFORE I CAN REBUILD, ACCORDING TO MR. SCHANTZ, HE MUST COME TO YOU AND ASK FOR HELP WITH THE DRAINAGE. TODAY MR. FLOYD WENT OUT TO THE ROAD AND DUMPED ABOUT A BUCKET AND A HALF WATER ON THE CROWN OF THE ROAD AND ALL OF THE WATER WENT STRAIGHT TO HIS PROPERTY, IT DIDN'T SPLIT. HE IS ABOUT 2 TO 3 FEET BELOW THE ROAD, SO EVERY TIME IT RAINS IT IS GOING TO FLOOD HIM OUT. HE NEEDS HELP. MR. MOHR ASKED HIM WHAT HE SUGGEST AND TO TELL HIM? MAYBE A BIGGER CULVERT, I KNOW THIS IS GOING TO UPSET GLENN, BUT HE IS STARTING TO PUT DIRT IN THE DAMS ON HIS PROPERTY TO STOP THE NATURAL FLOW OF WATER. MOHR POINTED OUT ABOUT A YEAR BEFORE THIS RAIN, THAT MR. FLOYD

HAD CALLED AND ASKED, SO THE HIGHWAY PUT IN A NEW CULVERT ACROSS THE ROAD, THEN THE RAIN CAME THERE WAS A BIG ROCK WAS IN IT, WHICH MR. FLOYD REMOVED. WE DON'T HAVE THE COVER OR DEPTH THERE TO PUT A LARGER PIPE, WE COULD PUT ANOTHER 12" A LITTLE DOWN THE ROAD, BUT THAT WILL GO OVER ON MR. SIMPSON. MOHR SUGGESTED BRINGING IN DIRT, AND HE DOESN'T MIND PUTTING IN ANOTHER PIPE, BUT THIS IS A LOW SPOT. MR. FLOYD POINTED OUT THIS IS A LOW SPOT BUT THEY ARE GETTING THE NATURAL FLOW FROM GWYNNEVILLE, PEOPLE HAVE TOLD US THAT THE NATURAL FLOW HAS CHANGED OVER THE YEARS, BECAUSE THE COUNTY HAS CHANGED IT TO RUN TOWARDS US, IS THERE ANY WAY THE COUNTY CAN CHANGE IT AGAIN? MOHR ADVISED HE WAS AROUND 2 MILES FROM GWYNNEVILLE AND HE HAS THE ED PHILLIPS SOUTH, THE EVANS DITCH THAT IS BETWEEN HIM AND GWYNNEVILLE. THERE IS A NATURAL WATER SHED THAT COMES DOWN THROUGH HIM, BUT IT IS NOT EVERYTHING COMING DOWN FROM GWYNNEVILLE, BECAUSE MOST OF THAT GOES SOUTH AND HITS THOSE DITCHES. A LOT OF THIS IS WATER SHED AND YOU CAN'T CHANGE THE WATER SHED IT IS MOTHER NATURE. MOHR ALSO SAID AT ONE TIME MR. FLOYD SAID IT WAS BECAUSE THE COUNTY PAVED THE ROAD AND RAISED IT UP 3". MR. FLOYD SAID YES THAT IS TRUE, SOME ONE IN THE COMMISSIONERS OFFICE ADMITTED TO HIM THAT THEY KNOW THEY BUILT THE ROAD UP AND RAN THE WATER STRAIGHT INTO HIM. AND IF THE COUNTY ADMITTED TO THAT THEN THEY SHOULD BE WILLING TO DO SOMETHING TO HELP HIM. EVEN IF HE RAISES UP HIS YARD THAT WOULD BE AT LEAST 2 - 3 FEET BEFORE HE CAN EVEN BUILD AND THE FEMA HOME WILL HAVE TO BE REMOVED TO DO THIS AND THE NEXT TIME YOU PAVE THE ROAD I WILL BE IN THE SAME SITUATION. MR. MOHR ADVISED THERE HAVE BEEN AT LEAST 5 OWNERS. MR. FLOYD SAID THAT THE PEOPLE THAT HE BOUGHT THE HOUSE FROM ONLY OWNED IT FOR A YEAR, AND SAID THAT WATER WILL STAND IF IT RAINS HARD, BUT SHE DIDN'T TELL HIM THAT THE WATER FLOODS THE HOUSE. SOMETHING NEEDS TO BE DONE, BECAUSE HE CAN'T REBUILD AND THIS HAPPEN AGAIN. NEWTON ASKED IF THERE WAS ANY SIDE DITCH, MOHR ADVISED NO. MOHR SAID THE ONLY THING THIS IS GOING TO AMOUNT TO IS ANOTHER 12" PIPE ON THE OTHER SIDE OF THE ROAD. THE NATURAL FLOW OF WATER GOES WEST. NEWTON SAID HE WOULD GO OUT AND LOOK AT THIS WITH MOHR AND SEE WHAT THEY CAN DO.

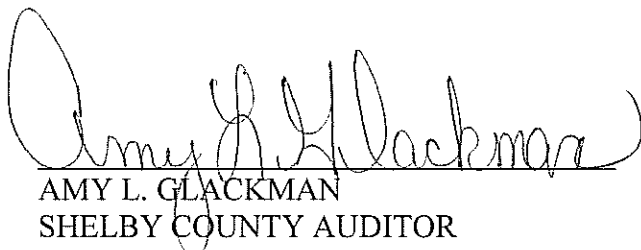
THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD. A MOTION TO ADJOURN WAS MADE BY MOHR SECOND BY NEWTON.
APPROVED 2-0

AYE

NAYE



ATTEST:


AMY L. GLACKMAN
SHELBY COUNTY AUDITOR