

THE SHELBY COUNTY COMMISSIONERS MET AT 7:00 P.M. ON MONDAY APRIL 28, 2008. PRESENT WERE COMMISSIONERS NEWTON, LAIRD, MOHR, COUNTY ATTORNEY AND COUNTY AUDITOR.

MINUTES:

MOTION TO APPROVE MINUTES FROM APRIL 21, 2008 WAS MADE BY LAIRD SECOND BY MOHR APPROVED 3-0.

CLAIMS:

P/R MOTION TO APPROVE MADE BY MOHR SECOND BY LAIRD APPROVED 3-0.

TRANSFERS AND ADDITIONALS:

N/A

ROCKIES EXPRESS PIPELINE:

PRE DRAFT AGREEMENT FOR ROAD USAGE – ALLEN FORE, CHRIS BASISTA, ELLEN TOWNSIN AND JASON WISCHMEYER PRESENTED THE COMMISSIONERS WITH A DRAFT AGREEMENT FOR THE ROAD USAGE FOR THE ROCKIES EXPRESS PIPELINE IF IT OBTAINS FIRST APPROVAL IN SHELBY COUNTY INDIANA. NEWTON JUST RECEIVED THE NEW ONE TODAY. THERE ARE A FEW THINGS THAT NEWTON AND WISCHMEYER DISCUSSED. DEPREZ POINTED OUT TO NEWTON THAT FROM THE LAST ONE THEY RECEIVED TO THE ONE RECEIVED TODAY THE ONLY THING THAT CHANGED WAS UNDER NUMBER 14 THEY INSERTED DIRECTLY BEFORE CAUSED AND RESULTING. NEWTON POINTED OUT THE BOND IS SUPPOSED TO BE \$2,000,000.00 TWO MILLION INSTEAD OF ONE. NEWTON ALSO TALKED TO JASON ABOUT ROADWAY VIDEO, HE DIDN'T KNOW IF THEY ARE GOING TO GET A MAP OF ALL ROADS THEY ARE GOING TO USE. THE COUNTY WANTS TO DO A PRE AND POST INSPECTION OF THE ROADS AND BRIDGES. AND UNDER THE BRIDGE PART OF IT, ANYTHING OVER 20 FEET IN LENGTH IT IS CLASSIFIED AS A BRIDGE ANYTHING UNDER 20 FEET IS A CULVERT. SO THEY NEED TO ADD CULVERTS UNDER THIS SECTION. SOME OF THEM HAVE 10 TON WEIGHT LIMITS ON THEM. THE INSPECTION IS JUST TO PROTECT ROCKIES EXPRESS PIPELINE AND THE COUNTY. NEWTON POINTED OUT THAT THERE IS SOME WORDING IN THIS HE DOESN'T LIKE; IT LEAVES TOO MUCH ROOM FOR LOOP HOLES. UNDER NUMBER 11 – WANTS THIS TO READ THAT THEY CAN NOT TRAVEL TO ANOTHER COUNTY USING SHELBY COUNTY ROADS. THEY MUST USE STATE ROADS. NUMBER 16 – NEEDS TO BE 80,000 POUND WEIGHT LIMIT ON ANY VEHICLE DRIVING ON OUR ROADS. MOST ROADS ARE 10 TON WEIGHT LIMIT. THEY WILL BE ISSUING OVERLOAD PERMITS FOR THIS PROJECT. DEPREZ SAID THAT HE AND JASON HAD TALKED A LITTLE BEFORE THE MEETING AND THERE ARE JUST A FEW CHANGES THAT HE HAD FOUND. NUMBER 7 – TYPO OR REPETITION IN THE SECOND PARAGRAPH DELETE AS SOON AS PRACTICABLE AT THE END. NUMBER 8 – ADD WORDING AT THE END SAYING SUBJECT TO PRIOR NOTIFICATION AND APPROVAL OF THE SHELBY COUNTY HIGHWAY DEPARTMENT. NUMBER 10 - THINK WE NEED A TIME FRAME OF HOW SOON THEY WILL POST. ROCKIES REPLIED THAT THERE ARE CERTAIN REGULATIONS TO POSTING THINGS. THEY WILL MAKE SURE THERE ARE BARRICADES UP UNTIL LEGAL SIZE SIGNAGE IS AVAILABLE. ROCKIES EXPRESSED THAT THEY HAVE JUST RECEIVED FINAL ENVIRONMENTAL STUDY SO THEY KNOW WHERE THE PIPE IS GOING NOW. THIS IS A STAFF RECOMMENDATION AND NOW IT WILL GO TO THE FERC FOR THEIR APPROVAL. WE ARE EXPECTING THAT APPROVAL IN THE NEXT COUPLE OF WEEKS. AFTER RECEIVING THAT THEY WILL START THEIR CONTRACTOR MOBILIZATION, AND THEN DETERMINE THAT ROUTING. AS SOON AS WE GET THAT WE WILL REPORT BACK TO THE COUNTY COMMISSIONERS. NEWTON MENTIONED THAT YOU HAVE IN HERE THERE MAY NEED TO BE SOME OPEN CUTS, YOU WILL NEED TO MAKE SURE THAT ALL AUTHORITIES ARE NOTIFIED, THIS WILL NEED TO BE ADVERTISED IN THE NEWSPAPER. ROCKIES EXPRESSED IF THEY HAVE TO DO AN OPEN CUT, THEY ARE GOOD ABOUT KEEPING TRAFFIC GOING. MOHR ASKED IF

THEY ARE GOING TO VIDEO THE ROAD. BEFORE THEY START THEY WILL CONTACT THE COMMISSIONERS OFFICE SO THAT THE ROAD CAN BE VIDEOED SO WE CAN CONTACT THE COUNTIES ENGINEER SO THEY CAN VIDEO. ROCKIES EXPRESS WILL BE BILLED DIRECT FROM THE ENGINEER FOR ALL VIDEO THAT WILL NEED TO BE DONE ON ROADS, BRIDGES, CULVERTS ETC. ONE THING THAT WE WILL NEED TO KNOW HOW MANY ACCESSES YOU ARE GOING TO NEED TO HAVE. WE HAVE PERMIT FEES FOR CULVERTS THAT WILL NEED TO BE PUT IN THE DITCHES. ROCKIES EXPRESS SAID LAST TIME THEY WERE HERE HE MET WITH THE HIGHWAY SUPERINTENDENT AND GAVE HIM COPIES OF ALL OF DIAGRAMS FOR THOSE. THESE ARE TEMPORARY AND REQUIRED BY FERC TO REMOVE THEM UPON COMPLETION OF THE PROJECT EXCEPT IN THE CASE OF A VALVE SITE. WE WOULD REQUEST TEMP. ACCESS DRIVES ON BOTH SIDES OF THE CROSSING. NEWTON SAID WE HAVE 17 CROSSING SO THEY WILL NEED TO GET 34 PERMITS AND THERE IS A \$90.00 INSPECTION FEE ON ALL OF THEM. NEWTON SUGGESTED THAT THEY TABLE THIS UNTIL ALL CHANGES HAVE BEEN MADE AND A NEW COPY WILL BE SENT TO JOHN FOR NEXT WEEK. NIGH ASKED IF THERE WOULD BE A SEPARATE AGREEMENT FOR THE DITCHES OR ARE THEY INCLUDED IN THIS. NEWTON ADVISED THAT THEY DO HAVE A SECTION IN HERE REGARDING LEGAL DRAINS AND DITCHES NUMBER 12. NEWTON READ IT. TAYLOR ALSO WANTED TO KNOW ABOUT THE SURVEY CONERSTONES, YES THERE IS NUMBER 13. ROCKIES EXPRESS WANTED TO MAKE A CORRECTION ABOUT THE MARKERS ON THE DITCHES. THEY WILL MARK BOTH SIDES OF THE LEGAL DRAINS TO SAY RIGHT OF WAY LINE TO RIGHT OF WAY LINE. MOTION TO TABLE BY MOHR SECOND BY LAIRD APPROVED 3-0

ANNUAL HIGHWAY REPORT:

DIANE HAEHL PRESENTED THE ANNUAL HIGHWAY REPORT TO THE COMMISSIONERS FOR APPROVAL. ON THE FRONT PAGE THIS LIST ALL RECEIPTS AND EXPENSES FOR THE YEAR. THE REMAINING BREAK DOWN THE RECEIPTS AND EXPENSES. MOTION TO APPROVE MADE BY LAIRD SECOND BY MOHR. APPROVED 3-0

MOWING PROPOSALS TINDAL CEMETERY:

COMMISSIONERS DISCUSSED TWO QUOTES:
TONY BERKOPES - \$90.00 PER MOWING AND A ONE TIME FENCE CLEANING FOR \$75.00 AND MAINTAIN IT.
CRAIG MARTIN - TOTAL OF \$768.00 FOR 8 MOWINGS.
COMMISSIONERS DISCUSSED AND A MOTION TO ACCEPT BERKOPES QUOTE MADE BY MOHR SECOND BY LAIRD. APPROVED 3-0

TELLMAN SUBDIVISION:

JEFF POWELL PRESENTED SOME ISSUES FOR THE TELLMAN SUBDIVISION LOCATED AT 1050 NORTH AND 650 WEST. THERE ARE SOME ISSUES WITH THE DRAINAGE AND ROAD RIGHT OF WAY. MOHR SAID THIS HAS A SWALE. RIGHT NOW THEY ARE PROPOSING PUTTING IN AN 8" TILE (PLASTIC) BECAUSE THERE IS EXISTING DRAINAGE. RIGHT KNOW IT DUMPS OUT BY THE ROAD. THERE IS A CULVERT LOCATED UP THERE THAT NEEDS TO BE REPLACED. IN THE DRAINAGE BOARD THEY ARE LOOKING AT A VARIANCE FOR AN OFF SITE EASEMENT. THEY ARE GOING TO BRING THIS BACK OFF OF THE EASEMENT AND RIP RAP IT REALLY WELL. POWELL SUGGESTED THAT HE TAKE KEM ANDERSON UP THERE AND LET HIM LOOK AT THIS BEFORE MAKING ANY DECISIONS ON THIS. NEWTON ASKED IF ALL THE HOUSES WILL NEED PERIMETER DRAINS, POWELL ADVISED YES. MOTION TO TABLE UNTIL MAY 12, 2008 MADE BY MOHR SECOND BY LAIRD. APPROVED 3-0

MISCELLANEOUS:

GINGER RUSSELL AND LORI WANTED TO TALK ADDRESS ISSUES OF THE ADDISON TWP. OFFICE NOT BEING OPEN. LORI HAS BEEN TAKING APPLICATIONS SO SHE HAS PROOF THAT THEY ARE OPEN. MR. GARRETT IS VERY ILL AND HOSPICE HAS BEEN CALLED IN. PLEASE DON'T CALL MRS. GARRETT. THEY ARE OPENING THE OFFICE EVERYDAY. THERE HAVE BEEN TWO DAYS THAT THEY WERE NOT ABLE TO OPEN THE OFFICE BECAUSE OF EMERGENCIES. NEWTON ADDRESSED THAT MRS. HIGGINS HAS ALSO BEEN ILL. MRS. RUSSELL ADVISED THAT MRS. HIGGINS SHOULD BE BACK IN JUST A COUPLE OF WEEKS. THEY WANTED TO LET

THE COMMISSIONERS KNOW THAT THEY ARE THERE AND ARE OPEN AT THE TIMES THAT ARE POSTED. THEY WANTED TO GIVE THE COMMISSIONERS CONTACT NUMBERS, SO THAT PEOPLE WILL BE ABLE TO GET WITH THEM IF NEEDED. IF THE APPLICANT WANTS TO APPEAL TO THE COMMISSIONERS THEY HAVE TO GO THROUGH THE PROPER CHANNELS BEFORE THEY CAN COME TO THEM. DIANE ASKED IF YOU COULD PUT AN ANSWERING MACHINE IN THE OFFICE FOR WHEN THEY ARE CLOSED, BECAUSE A LOT OF TIMES WHEN YOU CALL IT RINGS ONE TIME AND THEN CLICKS. LORI EXPLAINED THAT THE FAX MACHINE PICKS UP AFTER ONE RING. THEY WILL TRY TO GET THIS FIXED.

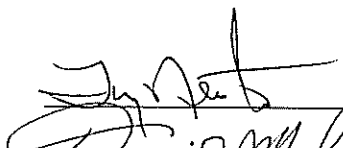
FRANK BURCH PRESENTED TO THE COMMISSIONERS WITH QUOTES AND RECOMMENDATION FOR NEW HVAC AT THE PROFESSIONAL BUILDING. FIRST BID WAS FROM SHELBY AIR FOR A GOODMAN AIR CONDITIONER AIR HANDLER AND HEAT PUMP IN THE AMOUNT OF \$4,380.00 AND ONE FROM PEOPLES FOR THE SAME THING IN THE AMOUNT OF \$3,600.00 FRANK RECOMMENDED GOING WITH PEOPLES HEATING AND COOLING IN THE AMOUNT OF \$3,600.00. THEY DON'T MIX AND MATCH UNITS ANY MORE AND CAN'T GET PARTS FOR THE OLD ONES. NEWTON ASKED IF HE HAD MONEY IN THE BUDGET. FRANK REMINDED EVERYONE THAT COME THE END OF THE YEAR HE WILL PROBABLY NEED MORE MONEY. MOTION TO APPROVE MADE BY LAIRD SECOND BY MOHR. APPROVED 3-0

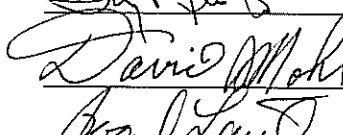
MOHR RECEIVED A CALL FROM TONY STRANGWAY OUT ON 400 N. WHEN THEY DID THE WALK THROUGH TONY SAID HE WOULD TAKE CARE OF THINGS ON THE WEST END THAT WERE LEFT. AFTER GOING OVER THE WHOLE LOT HE FOUND THE LAND HAS A LOT OF RUTS ON THE EAST END AND WONDERED IF THE COMMISSIONERS COULD HAVE THE CONSTRUCTION COMPANY COME BACK OUT AND FIX IT. THEY SAID THEY WOULD ASK STRAND, BUT SINCE HE SAID HE WOULD TAKE CARE OF THE WEST END. THEY HAVE ALREADY MOVED OUT, THEY MAY NOT.

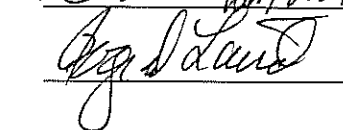
THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD. A MOTION TO ADJOURN WAS MADE BY MOHR SECOND LAIRD. APPROVED 3-0

AYE


NAYE







ATTEST:



AMY L. GLACKMAN
SHELBY COUNTY AUDITOR