

THE SHELBY COUNTY COMMISSIONERS MET AT 5:00 P.M. ON TUESDAY FEBRUARY 17, 2009. PRESENT WERE COMMISSIONERS, NEWTON, MOHR, NIGH, COUNTY ATTORNEY AND THE COUNTY AUDITOR.

**MINUTES:**

MOTION TO APPROVE MINUTES FROM FEBRUARY 2, 2009 WAS MADE BY MOHR SECOND BY NIGH, APPROVED 3-0

**WILLOW PARK AGREEMENT:**

PRESENTED TO THE COMMISSIONERS WAS AN AGREEMENT SIGNED BY JEFF BATE, MARK MCNEELY, TERRY MORTON & SPURLOCK'S STATING THAT THEY ARE IN AGREEMENT AND UNDERSTAND THAT BY REFUSING BUY OUT OF THEIR PROPERTY, IF ANOTHER DISASTER OCCURS AND THEY SUB STAIN DAMAGE THE COUNTY WOULD NOT BE RESPONSIBLE FOR ANYTHING AND THEY WOULD NOT BE ALLOWED ANY ASSISTANCE FROM FEMA OR ANY OTHER ORGANIZATION. NO ONE WAS PRESENT FOR QUESTIONS, BUT ATTORNEY MARK MCNEELY WILL TAKE CARE OF GETTING THIS DOCUMENT RECORDED WITH THEIR DEEDS IN THE RECORDER'S OFFICE. MOTION TO APPROVE MADE BY MOHR SECOND BY NIGH, APPROVED 3-0

**DRUG FREE COALITION:**

AMY LARRISON REQUEST ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$ FOR HER BUDGET TO COVER INSURANCE. THERE WAS CONFUSION IN THE BEGINNING ON WHO WOULD PAY HER INSURANCE THE GENERAL OR DRUG FREE. THE AUDITOR WAS TAKING OUT OF THE DRUG FREE BUDGET AND NOTHING HAD BEEN BUDGETED. THIS IS TO FIX IT. MOTION TO APPROVE MADE BY NIGH SECOND BY MOHR, APPROVED 3-0.

**PTABOA BOARD:**

COMMISSIONERS NEED TO APPOINT THESE FOUR PEOPLE TO THE BOARD THEY ARE PHIL HERTHEL, DAVID WARBLE, SHIRLEY SHEPHERDSON, & JODY OLINGER, THEY WILL ALSO NEED TO APPOINT ONE OTHER PERSON TO BE POLITICALLY CORRECT IT NEEDS TO BE A DEMOCRAT, MOHR WILL TAKE CARE OF TALKING TO THE DEMOCRAT PARTY. MOTION TO APPROVE BY NIGH SECOND BY MOHR, APPROVED 3-0.

**PHASE II 400 N:**

DIANE HAD AN AGREEMENT WITH STRAND ASSOCIATES FOR THE CONSTRUCTION ENGINEERING FOR PHASE II ON 400 NORTH. THEY WOULD LIKE TO TABLE THIS AT THIS TIME, BECAUSE THIS MAY BE ABLE TO BE PAID WITH THE STIMULUS MONEY AND ANY MONEY OR AGREEMENT SPENT BEFORE WILL NOT BE REFUNDED. IF WE SIGN NOW THIS COULD COST THE COUNTY ANOTHER \$60,000.00. MOTION TO APPROVE TABLING MADE BY MOHR, SECOND BY NIGH, APPROVED 3-0

**PURCHASE AGREEMENT:**

THE COMMISSIONERS RECEIVED A PURCHASE AGREEMENT FOR THE PROPERTY AT 415 S. TOMPKINS STREET OWNED BY GENE AND RITA HEWITT IN THE AMOUNT OF \$25,200.00. THIS IS THE AMOUNT OF THE APPRAISAL. CLOSING WILL BE EITHER BEFORE APRIL 1, 2009 OR 90 DAYS AFTER THE AGREEMENT IS SIGNED. MOTION TO APPROVE AGREEMENT MADE BY NIGH SECOND BY MOHR, APPROVED 3-0

**LISHER CEMETERY:**

REQUEST PERMISSION TO PUT A 24 X 24 HERITAGE SIGN IN THE LISHER CEMETERY, MOTION TO APPROVE THE SIGN MADE BY MOHR, SECOND BY NIGH, APPROVED 3-0

**UTILITY REQUEST:**

MOHR FARM DRAINAGE REQUEST A ROAD CUT ON 700 W APROX. 200 FEET NORTH OF 700 N (LARRY SMITH) THIS IS FOR A 15" TILE. MOTION TO APPROVE MADE BY NIGH SECOND BY MOHR, APPROVED 3-0

AT&T REQUEST TO BORE ON 100 W SOUTH OF 1080 N THIS IS A COMMUNICATION CABLE. MOTION TO APPROVE MADE BY MOHR SECOND BY NIGH APPROVED 3-0

VERIZON REQUEST TO BORE AT 4524 E 750 N NEW TELEPHONE DROP, MOTION TO APPROVE MADE BY NIGH SECOND BY MOHR, APPROVED 3-0

TAYLOR SUMERFORD REQUEST A ROAD CUT AT SUNNYACRES, FAIRFIELD DR. TO PUT A 18" DRAIN TILE IN 18' X 2' X 6', MOTION TO APPROVE MADE BY NIGH SECOND BY MOHR, APPROVED 3-0

**CLAIMS:**

PAYROLL – MOTION TO APPROVE PAYROLL MADE BY MOHR SECOND BY NIGH, APPROVED 3-0

REFUNDS – MOTION TO APPROVE REFUND CLAIMS IN THE AMOUNT OF \$18,190.53 MADE BY NIGH SECOND BY MOHR, APPROVED 3-0

**TRANSFERS AND ADDITIONALS:**

EMERGENCY MANAGEMENT REQUEST AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$5,000.00 FOR FUND 0100-141-01-1823 (INSURANCE), MOTION TO APPROVE MADE BY NIGH SECOND BY MOHR, APPROVED 3-0

INSPECTORS OFFICE REQUEST AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$4,544.82 FOR FUND 0100-129-01-1214 (INSPECTOR) THIS IS FOR HIS ELECTRICAL CERTIFICATION. MOTION TO APPROVE MADE BY NIGH SECOND BY MOHR, APPROVED 3-0

HUMAN RESOURCE REQUEST TO TRANSFER \$112.95 FROM 0100-113-02-1100 (SUPPLIES) TO 0100-113-02-1300 (POSTERS). MOTION TO APPROVE MADE BY NIGH SECOND BY MOHR, APPROVED 3-0

**MISCELLANEOUS:**

TODD JOHNS HAS 17 ½ HOURS OVERTIME FROM THE SNOW STORM ON 1/26/2009. THEY ARE REQUESTING TO GIVE HIM COMP TIME. MOTION TO APPROVE COMP TIME TO BE USED BEFORE JULY 1, 2009 MADE BY MOHR, SECOND BY NIGH, APPROVED 3-0

NEWTON ADVISED THAT WITH THE FAIRLAND PHASE II THEY NEED TO GET TREES REMOVED BY APRIL 1, 2009, THIS IS DUE TO THE INDIANA BAT. IF THESE TREES ARE NOT REMOVED THIS WILL DELAY THE PROJECT UNTIL NEXT FALL. THE COMMISSIONERS RECEIVED QUOTES. THE LOW QUOTE WAS IN THE AMOUNT OF \$9,000.00 FROM CROUSE TREE REMOVAL. THE NEXT CLOSEST BID WAS \$26,000.00. CROUSE WILL REMOVE THE TREES DOWN TO SIX INCHES OF THE GROUND AND REMOVE ALL WOOD. STRAND WILL COME AND MARK ALL TREES THAT NEED TO BE REMOVED. MOTION TO ACCEPT THE CROUSE QUOTE MADE BY MOHR, SECOND BY NIGH, APPROVED 3-0

COMMISSIONER MOHR RECEIVED A CALL ABOUT THE WOODRUFF DITCH. THIS IS REALLY MORE A DRAINAGE BOARD RATHER THAN THE COMMISSIONERS. BUT BACK WHERE IT GOES INTO A PRIVATE DITCH THEY WOULD LIKE TO CHECK AND SEE IF THIS WOULD BE MADE ALL INTO A LEGAL DRAIN DOWN TO LEWIS CREEK. MOHR WOULD LIKE FOR JOHN DEPRez TO RESEARCH THIS TO SEE WHAT NEEDS TO BE DONE. MOHR THOUGHT YOU WOULD HAVE TO HAVE CERTAIN PERCENT OF THE WATER SHED, NIGH THOUGHT YOU WOULD HAVE TO HAVE THE PROPERTY OWNERS ALSO. JOHN SAID HE WOULD CHECK ON THIS.

COMMISSIONER NEWTON ADVISED THAT ROCKIES EXPRESS CONTACTED HIM AND THEY HAVE 3 ROADS DOWN THERE 600,700 & 300 WHERE THEY BORED UNDER THE ROAD IS COLLAPSING. THEY WANT TO DIG THEM OUT AND PUT FLOW ABLE FILL IN TO BUILD THEM BACK UP. THEY ALSO SAID THEY ARE HAVING A HARD TIME WITH THE ROAD IN JOHNSON COUNTY ARE FALLING APART, THEY ARE DIGGING OUT COMPLETE SECTIONS OF THE ROADS PUTTING #2 & #53 IN JUST TO MAKE THEM PASSABLE. JIM SAID THAT IF SOMETHING HAPPENS IN SHELBY COUNTY WITH THE ROADS, THEY HAVE CONTRACTED WITH DAVE O'MARA PAVING TO

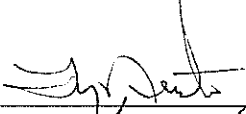
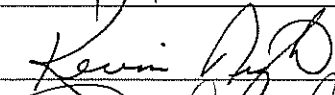
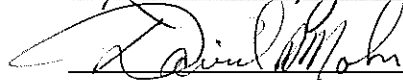
MAINTAIN THESE ROADS UNTIL THEY GET DONE AND AFTER THEY ARE DONE DAVE O'MARA WILL COME BACK AND DO FINAL REPAIRS.

MIKE SCHANTZ WANTED TO LET THE COMMISSIONERS KNOW THAT THERE IS A WEATHER SPOTTERS MEETING IN WALDRON, THURSDAY FEBRUARY 26, 2009 AT 7:00 AT THE HIGH SCHOOL.

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


**AYE**

**NAYE**

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ATTEST:

  
\_\_\_\_\_  
AMY L. GLACKMAN  
SHELBY COUNTY AUDITOR