

Motion to approve minutes of December 27, 2011 Tony Newton, 2nd Kevin Nigh, vote 3/0.

Gordon-Bassett Legal Drain-Jeff Powell came before the Board to clarify some issues concerning the Gordon-Bassett Legal Drain and the stipulations that the Drainage Board had included in their approval to reduce the legal easement of 75' to 25' for Jeff's client, Dollar General in Morristown. Jeff wanted to clarify the Drainage Board Minutes from December 12, 2011 to make sure that his client's understanding of the minutes and the Drainage Board's intent is the same. Jeff said that in the event of a repair of the tile under the improvements, his clients would be responsible for the removal, repair and replacement of any of their improvements. Jeff also said that it was his understanding that since the Gordon-Bassett Legal Drain is not on maintenance if, for example, there was a blowhole in the parking lot, the Drainage Board would approach the landowner and direct them to repair the blowhole. If the landowner did not repair the blowhole the Board could use funds from GDIF and then put the assessment on to the landowner. Kevin Nigh said that his concern was that with the parking lot or any other improvements on the easement he worried that there would be a time delay in repairing the tile. Kevin and Tony Newton both observed that not only was the County's easement being narrowed, but Dollar General intended to utilize the full easement footage to make their improvements, (parking lot, dumpster pad, curbs, signage, etc.). David Mohr asked Jeff what would happen if they had a problem with the tile as it goes thru White's Addition. Jeff said he assumed that the same would apply wherever the problem occurred, the landowner would be responsible. Jeff said that his client just wants to make clear that they are only technically required to pay for the removal, repair and replacement of their improvements and that any blowholes, etc. would be the responsibility of the landowner. Kevin said that he thought that was correct as long as Dollar General understands that the Drainage Board has the right to access and repair the tile if needed. Tony stated that Dollar General also needs to be aware that they are responsible for the tile on their property. Jeff asked if that applies to other landowners in that affected watershed, the Board answered yes. Tony said there was no difference, whether the legal drain is a tile or an open ditch...if it is not on assessment the landowner is required to pay for the repairs. Jeff said that he agreed with that. Jeff asked if that tile was ever put on maintenance assessment and repairs were made, Dollar General would be liable for their improvements, but would they be responsible for the tile? Tony said that if that were the situation, they would have to go thru the process of a public hearing and that Dollar General would have to petition to put it on construction maintenance. At that point they would be part of that project along with every other property owner in that watershed. Dollar General would shoulder that cost with the other property owners and they would be responsible for their improvements. Jeff told the Board that he had an affidavit that Dollar General's title company has requested be signed concerning the easement reduction, and some clarification from the client regarding their improvements. Jeff said that he would add to the affidavit that until the drain is put on maintenance, any and all repairs of this drain are at the expense of the property owner. David Mohr also suggested that Dollar General be encouraged to put the dumpster pad, signage, etc. as far from the tile as possible. Kevin said that as long as they get a document that makes the rules clear to all of them, he would be happy with that. Jeff said that he would forward it to Dollar General and to John DePrez to look over and if the Board approves, he would ask David to sign it. John said that the Board could have a special Drainage Board meeting to do so. The Board said they would do it next Tuesday. Kevin Nigh made a motion to table this matter until next Tuesday after John DePrez' review, 2nd Tony Newton, vote 3/0. Diane Haehl asked Jeff to make it clear to Dollar General that even if the tile is on maintenance, Dollar General will be responsible for their improvements. Jeff said that would be in the affidavit.

Tile on 500S on Fischer's Property-Tony Newton said that he had a conversation with Mark Fischer regarding the tile on Mr. Fischer's property on 500S and that Mark wanted to go ahead and get the tile ordered and get everything ready to go. David Mohr said that he had spoken to Jamie Ramsey and that Jamie said that Mark Fischer told him that he would like to wait to get the tile repair done until the middle of summer. Jamie said that he asked Mark if he could go in when the crops were in there and that Mark said he would rather lose some crops and get a good job. David said that he would like to get a letter from Mark requesting that scenario. Kevin said that the tile should be ordered now because it will go up a lot next summer if the fuel prices go up. Tony offered to call Mark and see if he would get the Board a letter stating he would hold the Board harmless for crop loss, and see if he would store the tile. David said that Carl Mohr across the road might let Mark store it in his barnyard. Tony suggested that they might lock the price of the tile in if they went ahead and paid for it, and have it delivered at a later date.

Howell Ditch-David Mohr said that 5 contractors looked at the Howell Ditch that morning. David said there were a lot of trees.

Adjourn

Gordon-Bassett Legal Drain-Diane Haehl informed the Drainage Board that Jeff Powell asked if the Board would table discussion on the Gordon-Bassett Legal Drain and Dollar General of Morristown until the following week. Kevin Nigh made a motion to table Jeff Powell's appearance at the Drainage Board meeting to discuss the Gordon-Bassett Ditch until the following week, 2nd Tony Newton, vote 3/0.

Leroy Anderson-Leroy Anderson came before the Drainage Board to discuss a drainage concern on his property. Mr. Anderson lives on Frontage Rd. just east of Green Meadows. David Mohr said that he has looked at Mr. Anderson's site, and the majority of his problem is on private property. Mr. Anderson has a neighbor that keeps plugging up a pipe which causes flooding onto Mr. Anderson's property. The Andersons have removed the plug several times, but the neighbor continues to stop it up. Kevin Nigh said that the Board could ask the Highway Superintendent to look and see if the roadside ditch needs cleaning, but other than that, the Board has no jurisdiction over private property. John DePrez informed Mr. Anderson that his situation was a civil matter.

Adjourn

Motion to approve minutes of January 9, 2012 and January 17, 2012 Tony Newton, 2nd Kevin Nigh, vote 3/0.

Bids for Roberts, Howell and McPherson Ditch-David Lawson told the Drainage Board that there were a few landowners that had some questions and concerns about the Roberts, Howell and McPherson Ditch.

Some questions: what the maintenance fund would include and what ditches and how many were included in the maintenance fund. Kevin Nigh said that there are both tile and open ditches in this watershed. Kevin said the major hold-up right now is the open ditches and that if they can get those opened up then the tile ditches could start working. He said that they tried to come up with a 3 year, 3 phase plan and that hopefully the money would hold up thru that plan. He said that if there was any money to do tile work along the way they would do so, but the tile work might have to be another phase later. Right now the \$15.00 per acre and \$50.00 per lot minimum would be used to do the work needed and is not a maintenance fund fee. After the 3 years, the Surveyor can put a percentage of the original \$15.00 per acre, \$50.00 per lot minimum into a maintenance fee. If the maintenance fund builds and nothing needs to be spent out of it, then after 4 years the maintenance fee can be dropped. Mr. Lawson asked if the landowners in the watershed who were some distance from the large tile, and who didn't seem to benefit from the repair of the tile were still required to pay into the fund. Kevin said that the tile is included in the watershed and that all property owners need to share in the cost of the repair and reconstruction.

Opening of the bids:

Nasby Construction: \$54,300.00 with riprap @ \$25.00 per ton. Any salvage of firewood and logs belong to the contractor. Dipping of the Roberts arm will be \$1.50 per ft. up to the Marietta Rd.

Larry Mohr Construction: Remove trees where ditch empties into Blue River, remove marked trees, treat all stumps, stack and burn all trees except for the ones that can be left in the woods, clean ditch bottom per instructions, finish all excavations. Base bid: \$53,400.00. Riprap \$28.00 per ton. Clean bottom of the lateral-\$800.00.

West Repair: 13,704 feet of ditch bottom dipping, clearing trees as specified, digging out spoils, lowering bottom of ditch, estimate to include labor and equipment complete. Riprap placed \$24.00 per ton. Bid price \$59,999.00.

Wells Excavating: Remove brush and trees, spray stumps, dip open drain approximately 13,704 feet from Blue River to CR 450W, \$41,434.00. Alternate 1: dip open drain approximately 1,318 ft. to Marietta Rd. \$1,300.00. Riprap in place, \$19.00 per ton.

Gentry Excavating: Main line from Blue River to the woods - trees and brush on north side to be cut and stumps treated, brush will be piled and burned. Trees on south side that are marked will be cut also, woods section path will be cleared to provide room to work on ditch, these trees to be laid down parallel with ditch on drainage right-of-way, large diameter trees that can be worked around will be left standing, from David Brown's crossing to swamp area brush to be removed on both sides, piled and burned with the exception of two large trees that were pointed out. Swamp section trees on east side to be removed, piled, burned and ditch will be re-established on east side. Total: \$64, 500.00. Riprap \$19.90 per ton. Tile repair outlets: \$95.00.

Kevin Nigh made a motion to take the bids under advisement until February 13, 2012, 2nd Tony Newton, vote 3/0.

Set Date for Ditch Spraying Bids-Kevin Nigh made a motion to have Norma Ross from the Surveyor's Office send out notice that the Drainage Board will accept bids for Ditch Spraying on February 13th, 2012 by 5:00pm, 2nd Tony Newton, vote 3/0.

Cotton Run and Mohler Green Ditches-David Mohr said that the Surveyor wanted to combine the Cotton Run and Mohler Green Ditches. Kevin Nigh said that he felt it made sense to combine them as they are both in the same watershed. Taylor Sumerford said that Cotton Run is now \$6.00 per acre with a \$10.00 minimum and Mohler Green is \$5.00 per acre with a \$5.00 minimum. Kevin Nigh made a motion that the Cotton Run and Mohler Green Ditches be combined at \$6.00 per acre with a \$10.00 minimum, 2nd Tony Newton, vote 3/0.

Gordon-Bassett Ditch-Tony Newton made a motion to table discussion on the Gordon-Bassett Ditch, (Dollar General Store in Morristown), until a later date, 2nd Kevin Nigh, vote 3/0.

Tile on 500S/Mark Fischer-Tony Newton told the Board that he had left several messages for Mark Fischer trying to get clarification on the tile on 500S that is on Mr. Fischer's property, but has not been able to speak to him yet.

Roberts Ditch-Taylor Sumerford said that he found an error on the Drainage Board's map of the Roberts Ditch and that it would need to be amended.

Adjourn

Motion to approve minutes of January 23, 2012 Kevin Nigh, 2nd Tony Newton, vote 3/0.

Bids on Robert, Howell and McPherson Ditch-Kevin Nigh made a motion, (based upon spreadsheet tabulations), to award the Roberts, Howell and McPherson Ditch work to Wells Excavating who submitted the low bid at \$41,434.00, \$19.00 per ton for riprap placed as needed and \$1,300.00 lump sum on the lateral work, 2nd Tony Newton, vote 3/0.

Ditch Spraying Bids-The bids submitted for Ditch Spraying in 2012 are as follows:

Townsend Tree Service-When the bid from Townsend was opened, they respectfully declined to bid but asked to be kept on the bid list for 2013.

Dalton's-.085 per foot across the board for a total of \$25,894.74.

Schideler-Total bid \$30,156.64. Schideler's bid was broken down by ditch with various prices based on the amount of work to be done on each ditch, and the footage involved.

Kevin Nigh made a motion to accept the Ditch Spraying bid submitted by Schideler. While it was not the lowest, the Board felt that it was the best bid for the services to be provided. 2nd Tony Newton, vote 3/0.

David Mohr asked John DePrez if the Board should send letters to any farmers that were planting too close to the ditches as there are regulations in place indicating the distance that should be allowed between the ditch and the planted field. John answered yes.

Gordon-Bassett Ditch-Jeff Powell did not show up for the meeting. Tony Newton made a motion to table Jeff Powell's request to be on the Agenda concerning the Gordon Bassett Ditch until Jeff contacts the Drainage Board again and requests to appear, 2nd Kevin Nigh, vote 3/0.

Mary Moore Tile-David Mohr informed the Board that the Mary Moore Tile work has been completed. David said that 18" tile was installed so it should work very well now.

Adjourn

Motion to approve minutes of February 13, 2012 Kevin Nigh, 2nd Tony Newton, vote 3/0.

Roberts, Howell, and McPherson Ditch-David Mohr said that he has received some calls asking when the work on the Roberts, Howell, and McPherson Ditch will be started. No one on the Board knew, but said they would try to find out.

Adjourn

David Mohr, President

Kevin Nigh, Vice President

Tony Newton, Member

Motion to approve minutes of February 27, 2012 Tony Newton, 2nd Kevin Nigh, vote 3/0.

Gordon-Bassett Ditch-David Mohr said that Hanover Township has agreed to be responsible for all costs of repairs if needed to the Gordon-Bassett drain pipe and the Property Owner shall be responsible for all costs associated with replacing the parking lot and improvements on the portion of the parcel, (see agreement for description), that Jeff Powell had brought before the Shelby County Drainage Board back on December 12, 2011. David Mohr said that the property owner wanted to hook into the Gordon Drain and suggested that the Board consider having a cleaning done on the Gordon open ditch from the sewage treatment plant to River Road. Tony Newton asked if there were any funds to do that. David said there was a nice sum in the fund. The Board instructed Diane Haehl to put the cleaning on an agenda in September so they could set a date to make those arrangements.

Rubush Tile-David Mohr informed the Board that the mediation agreement between Tom Ayers and the Settles involves running tile through a neighbor's property, and that the property owner is opposed to that action. David said the problem is that while there is 150' easement on the Rubush Tile, he is not sure that the work can be contained in that easement. He asked John DePrez to look into the legality of the situation, and if possible he would like an answer by next week. John said that he would look into it.

Tom Carmony Tile-Kevin Nigh said that he got a call from Dan Carmony concerning property he owns on the Tom Carmony Tile. Dan said that he has noticed one very large suckhole and another smaller one close to his house. Kevin said that Josh

West had done quite a bit of work on the tile back in 2009. He said that there are sufficient funds to do repair work, and that he would like to have Josh look at the suckholes and give the Board an estimate on what it would cost to fix them. Kevin said that Josh is very familiar with that tile. Tony Newton made a motion to have Josh West to look at the suckholes on the Tom Carmony Tile and give an estimate for the repair that needs to be done, 2nd Kevin Nigh, vote 3/0.

Ditch Spraying-Mr. Dalton, (whose company bid on Shelby County's ditch spraying work for 2012), asked the Board if they would explain why the Board did not choose his company, (who had the lowest bid), for the spraying work to be done in 2012. He also asked the Board if they had been displeased with prior spraying that Dalton's had done in the past and whether they wished for Daltons to continue to submit bids in the future. Kevin Nigh said that his concerns arose from the fact that Daltons bid was submitted without physically surveying the ditches and that the county's ditches had differences in the amount of vegetation needed to be dealt with. Mr. Dalton acknowledged that they had not actually gone to look over the ditches. David Mohr thanked Mr. Dalton for submitting a bid for 2012 and encouraged him to continue to bid in the future. Mr. Dalton thanked the Board.

Adjourn

DRAINAGE BOARD MINUTES

MARCH 19, 2012

ALL MEMBERS PRESENT

Rubush Tile-David Mohr asked John DePrez what he had found out about the Rubush Tile. David reminded the Board that a property owner objected to a pipe running on their property. John said that there was a court hearing to be held on March 20, 2012 to approve the agreement. John suggested the Board approve allowing encroachment on the 75' easement for the purpose of the court order. Motion to approve Tony Newton, 2nd Kevin Nigh, abstention David Mohr. Vote 2/0/1.

Gordon-Bassett Ditch-Jeff Powell presented a legal drain easement reduction concerning a portion of the Gordon-Bassett Ditch described in "Exhibit A" attachment. A motion was made by Kevin Nigh to accept the easement reduction, 2nd Tony Newton, vote 3/0.

Carmony Tile-Kevin Nigh made a motion to have Josh West replace 300 plus feet of 18" tile on the Carmony Tile, 2nd Tony Newton, vote 3/0.

Adjourn

DRAINAGE BOARD MINUTES

MARCH 26, 2012

ALL MEMBERS PRESENT

Motion to approve minutes from March 12 Tony Newton, 2nd Kevin Nigh, vote 3/0 and March 19, 2012 Kevin Nigh, 2nd Tony Newton, vote 3/0.

Zobel-Rosenfeld Tile Ditch-Taylor Sumerford said that Mark Fisher contacted him concerning the Zobel-Rosenfeld Tile Ditch. Kevin Nigh said that he could not recall ever doing any work on the tile part of the Zobel-Rosenfeld Ditch. Kevin said there was no money in that fund. David Mohr asked what size tile it was. Taylor said that Mark said it was a clay tile and that he thought it was 15". Taylor said that he would tell Mark that he could start a petition to add that part of the Zobel-Rosenfeld Ditch to the new part since the newer part has been set up on maintenance and there will be money in the fund after the spring tax collection.

Roberts, Howell and McPherson Ditch-David Mohr asked if any work had been started on the Roberts, Howell and McPherson Ditch. Taylor Sumerford said that he had talked to Jerry Wells several days back and that Jerry indicated that he would be starting the work at the beginning of the month.

Adjourn

DRAINAGE BOARD

SHELBY COUNTY, INDIANA

David Mohr, President

Kevin Nigh, Vice President

Tony Newton, Member

DRAINAGE BOARD MINUTES

APRIL 9, 2012

ALL MEMBERS PRESENT

Motion to approve minutes from March 26, 2012 Tony Newton, 2nd Kevin Nigh, vote 3/0.

Thompson Watershed Review-Kevin Nigh met with the City & IDEM last week. City representatives included: Mayor Tom DeBaun, Derrick Byers and Roger Keller. Options were discussed. Kevin's concern was the release rate. Kevin requested that USI review the plans. These services will be paid for out of the watershed funds. Motion to approve Tony Newton, Kevin Nigh, vote 3/0.

Roberts, Howell and McPherson Ditch-A motion was made by Tony Newton to waive assessment fees for property owner John R. Scott due to damage done to his property and to increase contractor Jerry Wells's fee by \$1,500 to \$2,000 for changes in his scope of work, 2nd Kevin Nigh, vote 3/0.

Thompson Ditch-Taylor Sumerford talked with Greg Coy. Mr. Coy is concerned about 3 or 4 trees in the ditch. He would also like some rip rap. Taylor will look the site over.

Brandywine Lake/Swamp Creek-A resident inquired as to whether property owners could be made to replace driveway pipes. John DePrez said that it would need to be a petition project.

Adjourn

DRAINAGE BOARD MINUTES

APRIL 23, 2012

ALL MEMBERS PRESENT

Motion to approve minutes of April 9th, 2012 Tony Newton, 2nd Kevin Nigh, vote 3/0.

Roberts, Howell and McPherson Ditch-Taylor Sumerford brought pictures of the Roberts, Howell and McPherson Ditch showing the progress being made on this project. Taylor said that all that is left to be done is the dipping.

Mary Moore Tile-David Mohr said that there was no flowable fill used on 300E when the road was being replaced after the road crossing. David said stone had been used instead of the flowable fill, and it was allowing the road to sink in. Kevin Nigh said that they had put concrete on top, but the concrete work was not well done either. Kevin reminded the Board that there were several bids for this project and they had all bid flowable fill; the contractor had not followed thru with his bid. Tony Newton pointed out that the contractor had charged \$780.00 extra for the road crossing portion of the project. Kevin said that he believes that the rest of his work is satisfactory, but he feels the Board should withhold the road crossing portion of his payment. Kevin Nigh made a motion to make payment to the contractor minus \$1,300.00 for the road crossing portion of the project, and to inform the contractor that he needs to repair the road crossing to the satisfaction of the County Highway Superintendent, Kem Anderson. 2nd Tony Newton, vote 3/0.

Thompson Ditch-Kevin Nigh reminded the Board that Greg Coy was present at the last Drainage Board Meeting to let the Board know that there were trees down in the Thompson Ditch. Taylor Sumerford brought the Board a bid from Josh West to remove the trees from the ditch. Per hour tree work: \$75.00, riprap-\$18.00 per ton placed. Kevin Nigh made a motion to approve Josh West's bid to do the work on the Thompson Ditch, 2nd Tony Newton, vote 3/0.

County Farm Drainage-Tony Newton said that the contractors are making progress on the drainage work at the County Farm.

Property Owner Dispute-Kevin Nigh told the Board that he had checked on a dispute between two property owners. A county deputy had been called on the matter the week before. Mr. Dewhurst was upset that his neighbor had hauled in fill and built a dam on the property line. Kevin said that he explained to Mr. Dewhurst that while he had cause to be upset, this matter was a civil one. Kevin said that the site was not part of a legal drain, nor on the roadside so it was not within the jurisdiction of the County Drainage Board.

Adjourn

DRAINAGE BOARD

SHELBY COUNTY, INDIANA

David Mohr, President

Kevin Nigh, Vice President

Tony Newton, Member

DRAINAGE BOARD MINUTES

MAY 14, 2012

ALL MEMBERS PRESENT

Motion to approve minutes of April 23, 2012 Tony Newton, 2nd Kevin Nigh, vote 3/0.

Zell Patterson Legal Drain-Mike Carrico who lives at 8917 N 250 E, came before the Board to let them know that there were two large blowholes on his property. Mr. Carrico said that these holes are north of where Josh West worked on the Zell Patterson Legal Drain back in 2009. He brought pictures in for the Board to look at. Tony Newton asked if there was any money in the Zell Patterson Fund. Kevin Nigh said that the balance as of January of 2011 was \$15,000.00 and there might be \$25,000.00 in by now. Taylor Sumerford said that he would look up the legal description for that tile to see where the legal drain actually stops. Taylor will let the Board know and then a decision can be made whether to go ahead and replace a stretch of that tile.

County Farm-Tony Newton said that he thought the tile at the County Farm might be installed by the end of the day.

Adjourn

DRAINAGE BOARD MINUTES

MAY 29, 2012

ALL MEMBERS PRESENT

Motion to approve minutes of May 14, 2012 Kevin Nigh, 2nd Tony Newton, vote 3/0.

Thompson Ditch Watershed-Kevin Nigh told the Board that a subsidiary of the Thompson Ditch Watershed, that crosses the Tom Lux property, was heavily silted from flood waters. Kevin said that Josh West was doing some work for Mr. Lux, and told Kevin that he would clean the silt out for \$400.00. Kevin asked for the Board's approval to pay Josh West the \$400.00 for

the work that he did. Tony Newton made a motion to pay Josh West \$400.00 for cleaning the silt out of the subsidiary of the Thompson Ditch Watershed that crosses the Tom Lux property, 2nd Kevin Nigh, vote 3/0.

Ditch Spraying-Taylor Sumerford told the Board that he spoke to the sprayers and they told him that they would be spraying in Jackson and Bartholomew counties for two days and then they would be working their way back into Shelby County. Taylor said that the problem he had was that Clif Drodody, who is overseeing the spraying of the ditches, had to attend classes next week and could not be there. Tony Newton asked Taylor to speak to the sprayers and coordinate their schedule with Clif's so that he would be able to oversee them.

Lakeview Pond-David Mohr said that he got a call about cleaning out the pond at Lakeview. He said that the whole subdivision is a legal drain, but he is not sure that cleaning the pond is part of that responsibility. David asked John DePrez what he thought about it. John said that he had never heard of it, but perhaps if the pond is part of the working system of the legal drain, he could see where the Board could consider it. Tony Newton said that he doesn't think the whole addition is in the legal drain. Kevin Nigh agreed. He said that the problem would be having to go around the properties that are not included in that drain. Tony and Kevin said that Commonwealth Engineering and USI both looked at Lakeview several years ago. David said that he does know that it is leaking around the outlet, so that needs some work, but he doesn't think it will benefit anyone if they dip the pond and asked what Kevin and Tony thought. Tony said you would probably have to drain the whole pond to clean it. Tony said that he just doesn't believe that all of Lakeview is included, or pays into that watershed. Taylor Sumerford said that he would determine the legal boundary and get that information to the Drainage Board.

Adjourn

DRAINAGE BOARD

SHELBY COUNTY, INDIANA

David Mohr, President

Kevin Nigh, Vice President

Tony Newton, Member

DRAINAGE BOARD MINUTES

JUNE 11, 2012

TONY NEWTON ABSENT

Motion to approve minutes of May 29, 2012 Kevin Nigh, 2nd David Mohr, vote 2/0.

Ditch Spraying-Taylor Sumerford informed the Drainage Board that Ditch Spraying started today.

Adjourn

DRAINAGE BOARD MINUTES

JUNE 25, 2012

TONY NEWTON ABSENT

Motion to approve minutes of June 11, 2012 Kevin Nigh, 2nd David Mohr, vote 2/0.

Ditch Spraying-Taylor Sumerford informed the Drainage Board that the Ditch Spayers had informed him that they had just one more day of spraying and then would be finished.

Gibson Ditch-Dave Brown came before the Drainage Board to inform them that when they were spraying the Gibson Ditch he had noticed several places on the bank where riprap was needed. Dave said that they measured from CR 100 and put some flags up where the bank needed attention. He said that maybe in the fall when the crops are harvested the riprap could be placed before the dirt starts going down into the ditch and plugging it up. Kevin Nigh asked if Mr. Brown would let the Board know when the crops were in so that they could get that taken care of. Cliff Drodody mentioned that there may need to be some dredging done around the bridge on the Gibson Ditch at the same time.

Roberts, Howell and McPherson Ditch-Steve LeMasters said that County Deputies were out on the site of a situation this week and he was very impressed with how they handled the situation. Mr. LeMasters said that Taylor Sumerford told him that the County could drive over his soybeans anytime they wanted to. He said that Taylor lied to him five times that day, and that he would think that Taylor would know what chemicals are being sprayed on private property. Mr. LeMasters asked if it was true that the County hired a spraying firm out of Eaton, Indiana. David Mohr told him that was true. Mr. LeMasters then asked if this firm had a license to spray. David said yes, they have to have one. Mr. LeMasters asked if the spraying firm had an MSDS sheet on the chemicals. Kevin Nigh said that he was not there....but assumed they had it with them. Mr. LeMasters asked who signed the bill of lading for a "hot load" being hauled down the road. Kevin told him that the County hired the firm as a contractor, so the Drainage Board would not have signed a bill of lading. LeMasters then asked what species the firm was spraying for. Kevin answered Broadleaf, Canadian Thistle, Mulberry Brush...all the undesirable vegetation. Mr. LeMasters asked what chemicals were being used that day. Kevin told him that different chemicals and strengths were used being used on different stretches of county ditches depending on the thickness of vegetation, etc. Mr. LeMasters asked why they were spraying on that stretch of ditch, because he had already sprayed and it was already dead there. Kevin told him that when the bids were taken, it was impossible to know which landowner or tenant was going to spray....so sometimes stretches get sprayed twice. Mr. LeMasters asked why Johnson County notifies residents when they are going to spray and Shelby County does not. David told him that they do not always know when it can be sprayed; it depends on wind direction, etc. Mr. LeMasters said that they should not have been using 2-4-D to spray with. Kevin asked Mr. LeMasters what he chemicals he thought the sprayers were using. LeMasters said that he would leave it up to the State Chemist to answer that. Mr. LeMasters said that he asked that the sprayers not move their truck...and that they backed up, turned around in the field and left. David said that he told the sprayers to do that. LeMasters asked how to have the maintenance removed on a ditch. Kevin said that it would be a vote of the Drainage Board. John DePrez said that he would have to look into that procedure. Steve said that he doesn't think that the Board ever had enough votes to put the ditch on maintenance to begin with...and that he would like to see all the

signatures. He also said that he knows of several landowners that would like to have it removed on the whole watershed. David asked John DePrez to check it out. John DePrez said that he did not know what the procedure would be to have the whole watershed removed from maintenance....but that he would have an answer in two weeks after he reviewed it. Mr. LeMasters said that he just didn't feel that having the ditch maintained by the County was working out. Kevin asked if he felt there were no improvements made by the County on the drainage at the lower end of that watershed. Mr. LeMasters said that he wasn't saying that...but he doesn't think the spraying situation was handled well and he would like to see the maintenance removed. David told Mr. LeMasters that from what the Drainage Board heard, Mr. LeMasters did not handle the situation well on his part. Steve agreed that he did not because he was irate. He said that he apologized to the Deputies. Kevin asked whether Mr. LeMasters apologized to the parties that he called names. Steve said that he meant everything that he said and recommends that Taylor be fired for the benefit of the County.

Adjourn

DRAINAGE BOARD

SHELBY COUNTY, INDIANA

David Mohr, President

Kevin Nigh, Vice President

Tony Newton, Member

DRAINAGE BOARD MINUTES

JULY 23, 2012

TONY NEWTON ABSENT

Motion to approve minutes from June 25, 2012 Kevin Nigh, 2nd David Mohr, vote 2/0.

Zell Patterson Ditch-Mike Carrico had called Taylor Sumerford with some concerns about the Zell Patterson Ditch. Mr. Carrico said there were some suckholes that needed repair. Kevin Nigh asked Taylor to get in touch with several contractors and ask them to look over the site. Kevin then made a motion to have contractors submit quotes by the next Drainage Board meeting on August 13th, 2012 to repair the suckholes on the Mike Carrico property section of the Zell Patterson Ditch, 2nd David Mohr, vote 2/0.

Hazelwood Public Hearing-David Mohr said there was a petition brought in by some of the property owners in Hazelwood who are interested in improving the drainage in Hazelwood Addition. Kevin Nigh made a motion to hold a public hearing for all Hazelwood Addition property owners on August 27th, following the Drainage Board meeting, 2nd David Mohr, vote 2/0.

Joshua Moore Ditch-Mr. John Henry of 7004 Interurban St., in Gwynneville came before the Board to express concerns about a drainage problem that he is having with flooding under his house. Mr. Henry asked permission to do a road cut on Mulberry St. in order to correct his drainage problem. David Mohr agreed to meet with Mr. Henry on Saturday or one late afternoon to look at the site.

Ditch Spraying-Taylor Sumerford said that when Jerry Wells was putting in the new ditch down south he did not level it. Kevin Nigh asked Taylor to ask Jerry to get that done.

St. Rd. 252-Kevin Nigh said that Ron Hamilton had asked him if the Drainage Board knew anything about the State's plans for 252 on the west edge of Flat Rock. Mr. Hamilton said that it would affect his property. Kevin told the Board that there was a meeting discussing the State's plans on July 31, 2012 at 9:30am regarding those plans and asked if everyone could try to attend it.

Adjourn

DRAINAGE BOARD

SHELBY COUNTY, INDIANA

David Mohr, President

Kevin Nigh, Vice President

Tony Newton, Member

DRAINAGE BOARD MINUTES

AUGUST 13, 2012

ALL MEMBERS PRESENT

Motion to approve minutes from July 23, 2012 Kevin Nigh, 2nd David Mohr, Abstention Tony Newton. Vote 2/0

Zell Patterson Ditch Bids-Bids for the work needed on the Zell Patterson Ditch were opened and are as follows:

West Repair: Replacement of 250' of 10" tile, \$2,500.00. Estimate includes all tile, equipment and labor.

Ramsey: 250' of 10" single-wall tile installed, \$1,187.50.

A motion was made by Kevin Nigh to approve the bid given by Ramsey, 2nd Tony Newton, vote 3/0.

Phillips South Drainage Issues-Kevin Nigh said that Rex Kuhn had called him in the spring to ask about having more work done on the Phillips South Ditch. Mr. Kuhn was in the audience. Mr. Kuhn said that over the years, starting at the open end of the ditch they have been replacing tile. They replaced several feet of 24" tile which steps down then to 18" tile. They installed approximately 1,400 ft. of 18" about 6 or 7 years ago and it really needs to continue being replaced on to Gwynneville Rd.

Kevin said that the assessment being paid brought in about \$7,000.00 per year, with about \$5,000.00 coming in the spring and the rest in the fall. He said that there is a balance in the fund of \$25,000.00. Rex said that the assessment had timed out and Kevin told him that there would be one more payment of approximately \$7,000.00 coming in with the "12 pay 13" taxes. Rex said that he would like to see the work continue. He said that the 18" being installed was replacing 15" tile that is just collapsing. He would like to see the 18" continue on to Gwynneville Rd. which would be another 2,000' more or less. David asked if he thought they could do half 15" and half 18". Rex said that if the Board would buy the pipe...they would put it in. He said he felt that what they saved on installation would offset the extra cost of using all 18". The Board told Rex that was quite an offer. Rex said that he would just like to see it done. David asked if the old tile went due east. Rex said that it goes basically east from the collection box to Gwynneville Rd then goes south no more than 300 ft. then heads back toward Rex's house. Tony Newton asked Rex to get a definite measurement, the exact cost of the tile and bring it back to the next Drainage Board Meeting.

City/Pumping Station @ McKay Rd.-Kevin Nigh said that Derrick Byers had intended to be at the meeting to discuss the possibility of the City cleaning approximately 500' of ditch by the pumping station at McKay Rd. Derrick was unable to attend, but will come another time.

Adjourn

DRAINAGE BOARD MINUTES

AUGUST 27, 2012

ALL MEMBERS PRESENT

Motion to approve minutes from August 13, 2012 Tony Newton, 2nd Kevin Nigh, vote 3/0.

Phillips South Drainage Issues-Kevin Nigh made a motion to table the Phillips South Drainage Issues until the September 10, 2012 Drainage Board Meeting, 2nd Tony Newton, vote 3/0.

Adjourn

HAZELWOOD DRAINAGE PUBLIC HEARING

Ruthie Schoentrup of 1231 E. Hazelwood N. Dr. told the Drainage Board that she has a petition with signatures to precede with options for drainage in the property owners' back yards. She said the petition has 27 signatures out of 52 or 53 property owners on it. Ruthie said that last year the owners had talked about going thru the front yards, but going thru the backyards would be more cost effective and would eliminate the sewage in the back yards and they would be able to flush toilets and do laundry. Steve Schoentrup reminded the Board that when the owners had met in the past, USI, (Shelby County's Engineers), had told them that it would cost about \$8,000.00 per property owner to go thru the front yards and that the owners would have to tear up their driveways. David Mohr asked if there were utilities in the backyard and Ruthie answered that she thought there was a 5 foot easement thru everyone's backyard. Tony Newton noted that didn't leave much room to work in when you're trying to stay out of the easement and put pipe in a 3 foot wide ditch. Kevin Nigh asked if there was enough interest among the owners, to come up with the dollars to pay for the engineering. Tony said that the Board would need to talk to USI and have them come down to shoot some grades in order to come up with some estimates on what such a project would cost. Jeff John suggested opening up the ditch along the road on the north side of Hazelwood and fixing the driveway pipes. He felt that would be a less expensive solution. One property owner who lives at 1191 E. Hazelwood Dr. N. told the Board that he had no problem with Drainage on his property. He asked if the work would be done only on properties that had problems. David told him that it would be a group project and everyone would be included. The resident asked what kind of timeline they would be working with. Kevin told him that if the owners decided to go ahead with the project, by the time all the public hearings were held, an engineering estimate was arrived at, etc., the construction probably would not start until the spring and that would be if it all came together very fast. The resident said that he had only lived there since February, and that when the petition was passed around he signed it, not really knowing what he was signing. Kevin told him that since he hadn't lived there very long, and it had been such a dry year, he hadn't seen wet times nor seen the problems that occur during a wet year. Tony Newton told the audience that Hazelwood would benefit from a project like the one that was done in Meadowview. Tony explained that the County obtained a 5 year loan and the owners had the option of either paying their share up front or having payments put on their taxes. David said that the Dwain Village Project also improved drainage for its residents. Tony said that he felt that the backyard option would not really help that much, he would rather see the road ditches closed up. Tony reminded the audience that the property owners are the ones who must decide whether to go ahead with the project, as it belongs to them. The County simply tries to help by getting the loan in place at a reasonable interest rate and help everyone maneuver the hoops and oversee the project...that is the County's role in it. Residents in the audience also told the Drainage Board that there is a house in the addition owned by the bank that has a back wall caving in. The house address is 1243 N. Hazelwood. Tony Newton told the audience that the Health Department has been taking care of those situations and the Board said that they would pass the information along to that department. Tony asked how many property owners there were in the audience and 9 people raised their hands. Kevin Nigh said that was too small a representation to call for a vote. Mr. Schoentrup asked if the engineers could come to Hazelwood and just look it over. Tony said that when Hazelwood property owners met a couple of years ago about this situation, USI did visit Hazelwood and take measurements, etc. Tony said that the Board could check with USI to see if they still had those files. David Mohr said that the Board could probably get a rough idea from USI of what it might cost so that the property owners would know what they were dealing with. An audience member asked why there has been no maintenance on the ditches. Tony said there has been work done...they have had jet rodders down there and blown out pipes, etc. He said the problem is that none of the pipes are uniform and several people have closed up ditches, etc. without approval. Kevin Nigh if there was anyone in the audience that was in favor of a drainage project. 3 property owners raised their hands in favor, 6 were not in favor. Kevin Nigh made a motion to reconvene the hearing until Tuesday, October 9, 2012 after the Drainage Board Meeting, 2nd Tony Newton, vote 3/0.

Adjourn

David Mohr, President

Kevin Nigh, Vice President

Tony Newton, Member

DRAINAGE BOARD MINUTES

SEPTEMBER 10, 2012

ALL MEMBERS PRESENT

Motion to approve minutes of August 27, 2012 Tony Newton, 2nd Kevin Nigh, vote 3/0.

Gordon-Bassett Ditch-David Mohr told the Board that they needed to set a date for cleaning the Gordon-Bassett Ditch. David said that the ditch has silt built up at the outlet. David said that the town of Morristown had agreed that they would take care of the tile portion of the ditch and the County would take care of the open ditch portion. Kevin Nigh said that there was \$28,000.00 in the Gordon-Bassett Ditch Fund. Kevin Nigh made a motion to meet with contractors at the sewage treatment plant in Morristown on the 17th of September at 9:00am to look over the site and that the bids would be due on October 9th, 2012, by 7:00pm in the Annex, Room 206, 2nd Tony Newton, vote 3/0.

Phillips South Drainage Issues-David Mohr said that he talked with Mr. Ramsey concerning drainage issues on the Phillips South Tile. David said that the Board had an estimate of \$12.00 per foot for tile, but Mr. Ramsey said that Springfield quoted him about \$9.00 per foot. Taylor Sumerford said that Rex had also said that he could get the tile quite a bit cheaper. David said that Mr. Ramsey had offered to set up an account with Springfield for the Board. Tony Newton asked if delivery was included in the price, Mr. Ramsey said yes. Tony asked how much footage was needed. Mr. Ramsey said that Rex said about 2,000 feet. Kevin Nigh asked Mr. Ramsey if he knew how much they would charge for reducer tees, adaptors, etc. Mr. Ramsey said that he could find out. Diane Haehl asked the Board what the diameter was on the pipe needed and was told 18” pipe. Kevin said that since the installation was going to be free of charge, he thought there were funds to do the work at \$9.00 per foot on the tile and to get the tees, etc. thru Springfield, also. Kevin Nigh made a motion to approve buying the tile at \$9.00 per foot and buying the tees there as well, 2nd Tony Newton, vote 3/0. David said that Mr. Ramsey has offered to take care of the paperwork for the purchase. Kevin asked Mr. Ramsey to work with Taylor Sumerford as Springfield needs to bill the County directly. Diane asked if the Board would need to sign to be on the account, Mr. Ramsey said no. Tony said the Board would need to give Springfield their tax exempt number.

Gwynneville-Taylor Sumerford said that someone had left a message on his phone saying that they had a neighbor who was mowing grass and blocking the tile. Taylor said that he would return the call and check into it.

Adjourn

DRAINAGE BOARD MINUTES

SEPTEMBER 24, 2012

TONY NEWTON ABSENT

Motion to approve minutes of September 24, 2012 Kevin Nigh, 2ND David Mohr, vote 2/0.

Haley Whalen/Drainage Issues on 850 W in Fairland-Haley Whalen of 8944 N 850 W, Fairland came before the Drainage Board with pictures of her yard from last year to show that when there is heavy rain her neighbors’ water runs into her yard and never makes it to the drainage ditch. She says this happens several times a year. Ms. Whalen asked the Board for information or advice on what she might do to rectify this situation. David Mohr said that a side ditch or a culvert pipe might help and that he would come by her property with the Highway Superintendent and shoot some elevations. Also, they would look at the roadside ditches and see if those needed cleaned. Ms. Whalen asked the Board if she hired an engineer to come and help her figure out a solution, were there any restrictions of Shelby County’s that she needed to know. Kevin Nigh advised her to wait until the Board looked into the problem...that there might be something obvious that they find that would solve her problem. David will let her know what they find.

Gerald Scott/Drainage Issues in Gwynneville-David Mohr said that Gerald Scott of Evan St. in Gwynneville contacted him with a problem. David said that the Board had put a box inlet on the Alexander Tile there and that Mr. Scott who lives across the road from the box hooked into the box from his yard. Mr. Scott told David that when his neighbor mows his yard, he covers the grate with his clippings. Kevin Nigh asked John DePrez if the Board should send the man a letter. John said a letter could be sent telling the man that he was negatively impacting the integrity of the drainage system. The Board believes the address is 7092 Evan St. in Gwynneville, but will check to make sure.

Snyder Tile-David Mohr said that Larry Andis called him about the Snyder Tile north of Freeport. David went to look at the site and found suckholes. David said that the outlet is broken off and down in the water. He said the Board needs to get someone to put riprap or stone down to give the outlet pipe a good base and replace the outlet pipe, (since it is shot), with a new pipe with animal guard ... bring in some dirt, then put stone at the end. David said the Snyder open ditch, starting at that outlet going north, needs about 300 feet dipped out. He said that Mr. Andis was willing to take his fence down to allow the work to be done. David said that there are a lot of holes to be fixed on the west side of the Snyder open ditch. Taylor Sumerford asked if the Board wanted him to contact several contractors or just one about the work. David asked him to contact three to get bids from. Taylor said that he would take care of it.

Parrish Harrell Ditch-Kevin Nigh asked if anyone had heard how James Ramsey was doing on the 18” tile going through Mark Fisher’s property on the Parrish Harrell Ditch. Taylor said that when he called James Ramsey to ask him to look at the Snyder Tile, he would ask about the Parrish Harrell.

Adjourn

David Mohr, President

Kevin Nigh, Vice President

Tony Newton, Member

DRAINAGE BOARD MINUTES

OCTOBER 9, 2012

TONY NEWTON ABSENT

Motion to approve minutes of September 24, 2012 Kevin Nigh, 2nd David Mohr, vote 2/0.

Open Bids for Cleaning the Gordon-Bassett Ditch-

Hill and Son Excavating – Riprap placed-\$20.00 per ton. Lightly bottom dip and straighten some areas-\$5,000.00.

Gentry Excavating – Dip and spread soil from open ditch, riprap per ton placed-\$19.90. Outlet repairs - \$85.00 per repair plus materials – total cost = \$11,162.25.

J & J Excavating – Clean bottom ditch, swing and dump, riprap needed for bank washouts @ \$25.00 per ton, \$11,000.00 for the cleaning.

Brandon Everhart – Clean and straighten ditch, placement of riprap @ \$15.00 per ton, excavation charges of \$9,000.00.

Ramsey Farms – Riprap for ditch bank repair @ \$30.00 per ton = \$600.00. Bottom dip 11,275 ft = \$18,040.00.

West Repair – Bottom dip locations needed as specified = \$7,448.00. Riprap @ \$16.95 per ton as needed.

Wells Excavating – Bottom dip - \$7,951.00. Riprap =\$22.60 per ton.

Kevin Nigh said that he hated to put off awarding the Gordon Bassett Ditch project because the weather is good. Kevin asked Taylor Sumerford if he thought the descriptions of the work to be done was covered. Taylor said yes. Kevin Nigh made a motion to approve Hill and Son Excavating for the job, 2nd David Mohr, vote 2/0.

Adjourn

HAZELWOOD PUBLIC HEARING

Kevin Nigh said that the Board had looked over some notes that they had from the October 2009 hearing. USI had estimated at that time that “a study for the area would cost up to \$200.00 per lot, and would look at alternates that would consist of a backyard perforated tile system that could cost up to \$4,500.00 per lot or a front yard drainage improvement project that could cost up to \$6,750.00 per lot. It is also important to mention that an additional public hearing would be held before the Drainage Board would consider proceeding with any improvements.” Kevin said that he was sure that material costs may have changed some, though the construction costs may not have changed much. He said that it would still cost \$200.00 per lot to do the study. Kathy Schaf, (Hazelwood Property Owner) ,stood to say that she was not in favor of a drainage project as she could not afford it and she did not have any drainage problems. Jeff John, (Hazelwood), asked about the County “spot cleaning” the ditches by the driveways and replacing the driveway pipes. Kevin said that the County can spot clean, but it is the responsibility of the property owners to pay for their own driveway pipe. Kevin said that it would take everyone on the north side replacing their pipes to do any good. Bryan Trotter, (Hazelwood), told the Board that he was not in favor of anything being done. He said that he doesn’t have any problem, and he is concerned that if anything is done it will cause a problem for him. Mr. Trotter’s neighbor across the street agreed. David Boggs, (Hazelwood), said that he keeps his ditches cleaned out and doesn’t have any problems. John Wurtzbaugh, (Hazelwood), also stated that he has no problem. One resident asked the Board if residents were allowed to use 15” pipe to put surface drains in their front yards. David said they would have to have clean outs and that they would prefer smooth wall pipe. David also stated that if a resident does wish to do that, they need to come before the Board with their request. The Board told the audience that since there seemed to be no interest from the residents attending in doing a drainage project.....they would not proceed any further.

Adjourn

DRAINAGE BOARD MINUTES

OCTOBER 22, 2012

ALL MEMBERS PRESENT

Motion to approve minutes of October 9, 2012 Kevin Nigh, 2nd David Mohr, vote 2/0.

Parrish Harrell Ditch-Taylor Sumerford said that he talked to James Ramsey last Thursday and that James planned to finish the work on the Parrish Harrell Ditch the next morning.

Snyder Tile-David Mohr said that he is going to meet with Bruce Hill and show him the work that needs to be done on the Snyder Tile to see if he wants to bid on the project.

ADJOURN

David Mohr, President

Kevin Nigh, Vice President

Tony Newton, Member

DRAINAGE BOARD MINUTES

NOVEMBER 13, 2012

ALL MEMBERS PRESENT

Motion to approve minutes of October 22nd, 2012 Kevin Nigh, 2nd David Mohr, vote 2/0/1 Don Parker Abstain.

Van Pelt Ditch-Rex and Ben Kuhn brought a map to show the Drainage Board where they would like to install a crossing over the Van Pelt Ditch just south of McKay Rd. They would use a 7' concrete pipe to cross the ditch from one field to the other. Kevin Nigh made a motion to approve the installation of the crossing over the Van Pelt Ditch by Rex and Ben Kuhn, 2nd David Mohr, vote 3/0.

Roberts, Howell and McPherson Ditch-Kevin Nigh told the Board that he had gotten a call from Jim Douglas, and that the Board needed to schedule a meeting with contractors to plan out a scope of work for the 2nd phase of the 3-year project on the Roberts, Howell and McPherson Ditch. Kevin made a motion to meet with contractors on Tuesday, November 20, 2012 at 9:00am where the Howell goes under Marietta Rd. to look over the site, and that the contractor's bids will be due on December 10, 2012 by 5:00pm, 2nd Don Parker, vote 3/0. David Mohr will ask Norma Ross to contact the contractors.

Adjourn

DRAINAGE BOARD MINUTES

NOVEMBER 26, 2012

ALL MEMBERS PRESENT

Motion to approve minutes of November 26, 2012 Don Parker, 2nd Kevin Nigh, vote 3/0.

Meeting Time December 26, 2012-Kevin Nigh made a motion to change the Drainage Board meeting time for the December 26th meeting from 5:00pm to 8:00am, 2nd Don Parker, vote 3/0.

McFarren - Richard Fix came before the Drainage Board to request that additional work be done on the McFarren Legal Drain. Kevin Nigh told Mr. Fix that the Drainage Board was looking into adding that portion, depending upon available funds. Mr. Fix also said that there were numerous blowholes. The Board said that they would take a look at those later.

Adjourn

David Mohr, President

Kevin Nigh, Vice President

Don Parker, Member

DRAINAGE BOARD MINUTES

DECEMBER 10, 2012

ALL MEMBERS PRESENT

Motion to approve minutes of November 26, 2012 Kevin Nigh, 2nd Don Parker, vote 3/0.

Open Bids for Roberts-Howell-McPherson Ditch-The Drainage Board opened bids for the work to be done on the Roberts-Howell-McPherson Ditch. They were as follows:

Stanton Enterprises-(Dan Stanton) - Muldoon Ditch: \$19,455.00. Howell Ditch: 15,048 ft bid-\$75,240.00. McPherson Ditch: 19,142 ft bid-\$95,710.00.

Ramsey Farms Ag Enterprises- Howell Ditch: 15,048 ft. bid \$30,097.20. Muldoon Ditch: \$6,809.95, (riprap not included-\$25.00 per ton as needed).

Travis Kuhn- Roberts Ditch: 19,142 ft bid \$46,160.00, (includes 84 tons of riprap). Howell Ditch: 15,048 ft bid \$37,621.00, (includes riprap). Muldoon Ditch: \$7,225.00, (includes 21 tons of riprap).

Bruce Hill- Howell Ditch: \$17,400.00. Muldoon Ditch: \$4,550. Roberts Ditch: \$24,928.00. Riprap-\$20.00 per ton as needed on all three ditches.

Wells Excavating- Howell Ditch: \$27,000. Muldoon: \$6,923.00. Roberts Drain: \$27,976.00. Riprap \$24.00 per ton as needed on all three ditches.

West Repair- Muldoon Ditch: \$7,783.00. Riprap -\$16.50 per ton.

Gentry Excavating- Muldoon Ditch: 3,891 ft-bid \$5,691.00. Riprap-\$19.90 per ton if needed. Repair tile outlets @\$85.00 plus materials.

Larry Mohr Construction- Roberts Ditch: \$26,600.00. Howell Ditch: \$23,500.00. Muldoon Ditch: \$6,500.00. Bid does not include repairing fences or gates. Trees and brush that are removed will be stacked.

Kevin Nigh made a motion to table the bids for review until the Drainage Board Meeting on December 26th, 2012 immediately following the Commissioners' Meeting at 8:00am, 2nd Don Parker, vote 3/0.

Adjourn

DRAINAGE BOARD MINUTES DECEMBER 26, 2012 ALL MEMBERS PRESENT

Motion to approve minutes of December 10, 2012 Don Parker, 2nd Kevin Nigh, vote 3/0.

Bids for Roberts, Howell and Muldoon Ditches-Taylor Sumerford told the Board that he had spoken to Bruce Hill and that Bruce would like to do the two smaller ditches...but the Roberts Ditch is beyond his capacity. Taylor said that means that the Board needs to choose another bidder. Taylor said that choosing by price it would be Larry Mohr. David Mohr asked Taylor if Larry Mohr was willing to take care of burning the brush...as he had expressed concern about doing so. Taylor said that when Mr. Mohr had expressed that concern, it was because of the drought. David observed that would not be a problem now. Kevin Nigh made a motion that the Board award the work on the Muldoon Ditch to Bruce Hill in the amount of \$4,550.00. 2nd Don Parker, vote 3/0. Don Parker made a motion to award the work to be done on the Howell Ditch to Bruce Hill in the amount of \$17,400.00, 2nd Kevin Nigh, vote 3/0. Kevin Nigh made a motion to award the work to be done on the Roberts Ditch to Larry Mohr in the amount of \$26,600.00 with the stipulations that he burn the brush and put in riprap as needed for \$24.00 per ton and that if Larry Mohr does not agree to do the brush burning and the riprap work for \$24.00 per ton...then the work would be awarded to Wells Excavating in the amount of \$27,976.00. 2nd Don Parker, vote 3/0.

Snyder Open Ditch-David Mohr said that Caldwell Gravel would like to put a crossing at the south end of the Snyder Open Ditch, (52 & 300W), using a 9' culvert. David said that he spoke to Jordan from Caldwell and that Jordan said that since they would be doing the crossing work that they would dip the ditch at a per hour cost which would amount to around \$1,500.00. Don Parker made a motion to have Caldwell dip the Snyder Open Ditch where they will be installing a crossing at a cost of approximately \$1,500.00, 2nd Kevin Nigh, vote 3/0.

Reorganization of Drainage Board for 2013-Kevin Nigh made a motion to retain David Mohr as Chairman of the Drainage Board for 2013, 2nd Don Parker, vote 2/0, 1 abstention.

Appointments for 2013-Kevin Nigh nominated Don Parker as Vice-Chair of the Drainage Board, 2nd David Mohr, vote 3/0. Don Parker nominated Diane Haehl as Drainage Board Secretary, 2nd Kevin Nigh, vote 3/0. Kevin Nigh nominated John DePrez as Drainage Board Attorney, 2nd Don Parker, vote 3/0. Kevin Nigh made a motion to hold the Drainage Board meetings on the 2nd and 4th Mondays of each month immediately following the Commissioner Meetings, 2nd Don Parker, vote 3/0.

Phillips South Ditch-Taylor Sumerford said that Rex Kuhn called about the Phillips South Ditch, asking if they could charge the riprap to the County, (Taylor said that was resolved), and asking that they be able to use the rest of the money to continue north. Don Parker made a motion to allow the Kuhns to cross the road on the Phillips South project, 2nd Kevin Nigh, vote 3/0.

Mohler Green Ditch-A gentleman in the audience told the Board that after the last time the Mohler Green Ditch was dipped...in the section that crosses his property, the sides have caved in. He said that he is willing to fix the section on his property, but the problem extends beyond his boundaries. The Board told him that they would take a look at it.

Adjourn

DRAINAGE BOARD

SHELBY COUNTY, INDIANA

David Mohr, President

Kevin Nigh, Vice President

Don Parker, Member