The meeting was called to order Monday January 14, 2019 at 12:01 p.m.

The members of the Board present were Mr. Steven C. Dillinger-President and Ms. Christine Altman-Vice President. Also present were staff of the Hamilton County Surveyor’s Office: Mr. Steve Baitz, Mr. Gary Duncan, Mr. Andy Conover, Mr. Greg Hoyes, Mr. Jerry Liston and Mr. Steve Cash. The Board’s attorney, Mr. Michael Howard, was also present.

Approve Minutes of December 10, 2018:
The minutes of December 10, 2018 were presented to the Board for approval.

Altman made the motion to approve the minutes of December 10, 2018, seconded by Dillinger and approved unanimously.

Re-Organize the Board:
Dillinger made the motion to appoint Commissioner Altman as President of the Hamilton County Drainage Board, seconded by Altman and approved unanimously.

Dillinger made the motion to appoint Commissioner Heirbrandt as Vice-President of the Hamilton County Drainage Board, seconded by Altman and approved unanimously.

Appoint Attorney, Secretary and Alternate Members:
Dillinger made the motion to reappoint Michael Howard as attorney for the Hamilton County Drainage Board, seconded by Altman and approved unanimously.

Dillinger made the motion to reappoint Lynette Mosbaugh as secretary for the Hamilton County Drainage Board, seconded by Altman and approved unanimously.

Dillinger made a motion to recommend Steve Holt and Jerry Rulon as Alternate Members for the Hamilton County Drainage Board, seconded by Altman and approved unanimously.

Designate Surveyor for Claims:
Dillinger made the motion to designate the Surveyor for claims, seconded by Altman and approved unanimously.

Appoint Big Cicero Creek Joint Drainage Board Representative:
Dillinger made the motion to reappoint Commissioner Heirbrandt as Hamilton County’s representative to the Big Cicero Creek Joint Drainage Board, seconded by Altman and approved unanimously.

Appoint White River Alliance Board Representative:
Dillinger made the motion to reappoint Kent Ward as Hamilton County’s representative to the White River Alliance, seconded by Altman and approved unanimously.

Bid Opening – William Krause Drain, Krause Reconstruction Phase 3:
Mr. David Cornacemione and Mr. Steve Milbourne were present for this item.

Howard stated that the first bid is from Millennium Contracts with all required forms present and a base bid of $387,450.00, Alternate No. 1 of $221,440.00, Alternate No. 2 of $49,980.00 and Alternate No. 3 of $126,995.00; the next bid packet is from Morphey Construction with all required forms present and a base bid of $413,896.00, Alternate No. 1 of $197,883.00, Alternate No. 2 of $46,310.00 and Alternate No. 3 of $122,911.00. This appears to be all the bids on the Krause Reconstruction Phase 3. Do any persons know of any other bids; none appearing I recommend the bids be referred to the Surveyor’s Office for review and recommendation two weeks from today.

Dillinger made the motion to refer the bids to the Surveyor’s Office for review and recommendation on January 28, 2019, seconded by Altman and approved unanimously.

Bid Opening – Thistlewaite Drain, California Street Arm Extension:
Mr. David Cornacemione and Mr. Steve Milbourne were present for this item.

Howard stated that the first bid is from Millennium Contractors with all required forms present and a bid of $192,568.90; the next bid is from Morphey Construction with all required forms present and a bid of $196,000.00. That appears to be all the bids for the Thistlewaite project. Do any persons present know of any other bids; none appearing I recommend the bids be referred to the Surveyor’s Office for review and recommendation two weeks from today.

Dillinger made the motion to refer the bids to the Surveyor’s Office for review and recommendation on January 28, 2019, seconded by Altman and approved unanimously.
**Bid Opening – Thorpe Creek Drain, John Underwood Arm Reconstruction:**

Mr. Scot Van Horn, Mr. David Cornacemione, Mr. Steve Milbourne and Mr. Mark Van Horn were present for this item.

Howard stated the first bid is from Millennium Contractors with all required forms present and a bid of $840,221.00; the next bid is from Van Horn Excavating with all required forms present and a bid of $467,835.50; the next bid packet is from Morphey Construction.

Dillinger asked are you sure you read that bid right?

Howard stated $467,835.50.

Dillinger asked and the other one was $840,221.00?

Howard stated yes. Morphey Construction has all required forms present and a bid of $438,000.00. That appears to be all the bids on this project. Do any persons present know of any other bids; none appearing I recommend the bids be referred to the Surveyor’s Office for review and recommendation two weeks from today.

Dillinger made the motion to refer the bids to the Surveyor’s Office for review and recommendation on January 28, 2019, seconded by Altman and approved unanimously.

**White River Alliance – Public Education and Involvement Program:**

Duncan stated this is a recurring contract that we sign each year. The White River Alliance leads our public education group as part of our MS4 Permit requirements. The contract for their services is $7,000.00 for the year of 2019 and that is the same as it was in 2018.

Dillinger made the motion to approve the contract with the White River Alliance for Hamilton County’s MS4 permit requirements at $7,000.00, seconded by Altman and approved unanimously.

**Pipe Lining Discussion:**

Duncan asked that the discussion for the Clara Knotts and Geist Woods Drains be tabled to the January 28th meeting? The Surveyor and I did not have a chance to talk about any points that he wanted to discuss with the Board today.

Dillinger made the motion to table these items to the January 28, 2019 meeting, seconded by Altman and approved unanimously.

**Waters of the U.S. – Proposed Revised Definition:**

Duncan stated this is for the Board’s information. I have not had a chance to read this.

Altman stated we have a distinct variance between the old what the EPA wanted to do and this new at the next meeting? Where we went from the beginning to where EPA under Obama wanted to go and then with these new rules.

Dillinger made the motion to table this request for January 28, 2019, seconded by Altman and approved unanimously.

Altman stated I think this came up before and we said no.

**Cool Creek Park Bank Stabilization – Award Contract:**

Mr. Steve Morphey was present for this item.

Duncan presented his report to the Board for approval.

"January 11, 2019

Hamilton County Drainage Board

RE: Cool Creek Park Bank Stabilization

Dear Board Members:

At the meeting of the Drainage Board on December 10, 2018 six bids were received for the Cool Creek Park Bank Stabilization project.
The bids received were as follows:

<table>
<thead>
<tr>
<th>Contractor</th>
<th>Bid Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Millennium Contractors, LLC</td>
<td>$245,425.00</td>
</tr>
<tr>
<td>Hoosier Pride Excavating</td>
<td>$186,085.00</td>
</tr>
<tr>
<td>Cardno</td>
<td>$293,593.15</td>
</tr>
<tr>
<td>William Creek Management</td>
<td>$170,496.00</td>
</tr>
<tr>
<td>MTM Enterprises</td>
<td>$168,413.00</td>
</tr>
<tr>
<td>Morphey Construction</td>
<td>$141,207.00</td>
</tr>
</tbody>
</table>

The Engineer’s Estimate for construction was $232,300.00.

The apparent low bidder is Morphey Construction.

At the Board meeting of December 17, 2018, award of this Contract for the Cool Creek Park Bank Stabilization project was brought before the Drainage Board. The award of the Contract was tabled at this meeting. The Surveyor’s Office reported to the Board that the Bid submitted by Morphey was complete with the exception of the line item for “Relocation of Phone Line”. The Board voted to allow Morphey to provide a bid for the “Relocation of Phone Line” line item that was left blank on the schedule of pay items created by Morphey and submitted with their Bid.

The Hamilton County Surveyor’s Office has since received a revised Bid Form from Morphey Construction. The line item was added to the Bid Form in the amount of $9,450.00. This increases the Bid Amount to $150,657.00. The total indicated on the revised bid form is $150,658.00 which represents a math error of -1.00.

$150,657.00 is still below the Engineer’s Estimate and is still the lowest bid submitted.

The Hamilton County Surveyor’s Office has reviewed this bid submittal and found it to be complete. Morphey Construction has performed work for the County before and is in good standing with the County.

The Surveyor recommends that the Board award the Contract to Morphey Construction in the amount of $150,657.00.

Sincerely,
Gary R. Duncan, Jr., PE
Staff Engineer

Dillinger stated I hope their work is better than their bid.

Altman stated we’ve used them a lot.

Duncan stated yes, we’ve used them a lot and they’re in good standing with the Board.

Altman asked did everybody line out the relocation of the phone line?

Duncan stated yes.

Altman asked was their revised bid in line with everyone else’s bid?

Duncan stated they were. They were kind of over the board, but yes.

Altman stated so they weren’t low balling to make sure they got the contract.

Duncan stated correct. Actually, they were higher if you were to average the other bids that were submitted for that specific line item.

Altman stated so there wasn’t any competitive advantage for us opening and them knowing.

Duncan stated correct.

Dillinger made the motion to award Morphey Construction the bid for the Cool Creek Park Bank Stabilization Project, seconded by Altman and approved unanimously.

Non-enforcements:
Long Branch Drain, Lakeside Park Section 1

Dillinger made the motion to table this item until the March 25, 2019 meeting, seconded by Altman and approved unanimously.
Violations:
Castetter & Randall Drain (Havens) – Liston stated in June of 2018 we sent the property owner at 7944 Destry Place a ten-day violation. I met with the owner within that following ten days and at that time the property owner requested that the trees be left until the fruit fell off the trees which was going to be around September or October. Evidently, he forgot that had happened so the trees are still there. They're small seedling fruit trees so we sent the owner another letter giving him ten days to remove the trees. He has responded with an email on January 8, 2019 asking to allow the trees to remain there until March and then he would move them.

Dillinger asked what does the office recommend?
Liston stated he believes the Surveyor is agreeable to that, but we want to make sure the trees get relocated because they are in between an open ditch and a tile. As the trees mature the roots will cause issues with the tile.

Dillinger asked the property owner wants to relocate the trees?
Liston stated yes, the property owner wants to relocate the trees. I think he either forgot or thought we forgot. I believe the Surveyor is agreeable to that time.

Dillinger asked is there a standard time when its more favorable to move trees than others?
Liston stated late fall or early spring. If that’s okay with the Board I’ll send him a response saying he has until the middle of March.

Altman asked if the owner relocates the trees to the other side of the easement how much farther away are they going to be from the subsurface drain?
Liston stated it’s a dry detention area that this is all in so if the owner moves the trees on his property over to the east the trees will be about 50 to 60 feet away.

Altman stated then it will be worthwhile.
Liston stated yes.

Dillinger made the motion to allow the property owner at 7944 Destry Place until the middle of March to move the fruit trees, seconded by Altman and approved unanimously.

Spills:
White River Drainage Shed – Liston stated last week a triaxle dump truck on 146th Street just west of White River hit a mailbox, ruptured a saddle tank and lost about 90 gallons of fuel onto the roadway. The fuel did get into the 146th Street storm sewer and made it to the outlet, but there was a flapgate on the end of the outlet and they were able to contain the spill before it got to White River.

Altman asked if the line was cleaned out?
Liston stated yes, that is my understanding. That is a County Highway storm system. Bob Davis was on the scene.

Surety Acceptance:
Liston stated that at this afternoon’s Commissioners meeting the Board would be accepting the following surety: Performance Bond No. PPF9292266 in the amount of $180,525.60 for Thorpe Creek Drain, Martha Ford Arm, Reconstruction.

Surety Release:
Liston stated that at this afternoon’s Commissioners meeting the Board would be releasing the following surety: Irrevocable Letter of Credit No. 1313WVRM3 in the amount of $174,894.90 for Woods at Vermillion Section 3, storm sewers.

Construction Updates:
Thorpe Creek Drain, Martha Ford Arm Relocation – Liston stated that Hoosier Pride has moved onto the site. The staking has been done. We’re just waiting on Hoosier Pride to get started with the project.

Spills (Continued):
Altman asked Dillinger did you look at these pictures?
Dillinger stated yes.

Altman stated I’m a little troubled with the damage to that truck. Then you look at the “mailbox”. It obviously was a huge concrete abutment to take out the front tire and rip the...

Liston stated the mailbox was between the curb and sidewalk.

Altman stated its in the right of way.

Dillinger stated it looks like the one next to it is in the right of way too.
Altman stated it’s one thing to put your post out there and it’s another to put a gigantic thing along the road.

Dillinger asked was that the...

Liston stated it’s right by Renner’s Autobody. That mailbox has been there for several years.

Altman asked I wonder if it’s permitted?

Howard asked is it in our right of way? Do you know?

Altman stated look at the truck. That’s a dangerous situation when you’ve got that kind of post in the right of way. Howard asked so it’s between the multi-use path and our road?

Altman stated that’s the only place you’re going to stick a mailbox, but you don’t put a big concrete abutment in there.

Liston stated the front wheel of that dump truck was on the south side, and that’s a four-lane highway, in the side ditch.

Altman stated it could have killed somebody. I think we need to bring this up at Highway. Howard stated yes, I don’t think we need to have that substantial of a mailbox post.

Duncan stated there’s supposed to be a clear zone that allows a vehicle to return safely to the highway if it gets off the road. Howard stated there’s a curb there.

Duncan stated a lot of the signage and what not that we place is all break away.

Altman stated this was not a break away. This looked like a 3x3 or 4x4 concrete post. Let’s bring it up at Highway and make sure we don’t have any other issues out there and make sure that doesn’t go back in.

**Budget & Permit Update:**

The budget and permit update was presented to the Board for their information.

Dillinger made the motion to adjourn, seconded by Altman and approved unanimously.

Christine Altman – President

Lynette Mosbaugh
Executive Secretary