

REGULAR DRAINAGE BOARD MEETING:

April 9, 2025

President, William Whitehead, called the meeting to order. Members present at the meeting were the following:

William Whitehead, President
Joseph Hamilton, Vice President
Sherry Riggin, Member
John Christy, Member
Wayne Bothel, Member
Brandon Murphy, Attorney
Tom Borchers, Surveyor
Jennifer Licht, Recording Secretary

President, William Whitehead, opened the meeting by welcoming the audience and inviting them to participate in the pledge of allegiance.

APPROVAL OF MINUTES:

Mr. Whitehead entertained a motion for the approval of the March 12, 2025 Drainage Board Meeting Minutes. **Mr. Hamilton** moved for approval. Motion seconded by Mr. Christy. **Motion passed 5-0.**

Mr. Whitehead moved for approval of the March 20, 2025 Special Drainage Board Meeting Minutes. **Mr. Hamilton** moved for approval. Motion seconded by Mr. Christy. **Motion passed 5-0.**

PUBLIC COMMENT

Robert Young, 12879 West Stony Creek Lane, Parker City. This is a picture from about 5 years ago. I live in a neighborhood that is unassessed. I am having problems with log jams. If I remove the logs, there's restrictions on removing them, how you remove them. There's a large fine from the DNR if you're caught doing something like that. I've talked to many of the county surveyors including the one in Randolph County. The Delaware County Surveyor told me that I could go to Randolph County to their meetings and Henry County to their sanitation, storm water board and get them people on a ditch assessment. I would like you to try and put us on a ditch assessment. **Mr. Borchers** stated I never once said to go to another county if they live in Delaware County. I went out and there's a couple trees down. There's a couple that were completely over the bank that weren't really causing any problems. There's also an area that was washing out. I explained to him that since he's in an unassessed area, I can't use maintenance funds to clean this ditch. I told him he could get a dump truck load of rip rap and put it where it was washing out. He didn't seem

interested in that. He wanted me to do it. **Mr. Hamilton** stated if we had enough landowner support to turn Stony Creek into an assessed area and then we had enough landowner support to pay for a reconstruction or repair where we would remediate these issues, would we move forward at that point. **Borchers** stated absolutely. If it's a reconstruction and we have the land owners to pay the fair share, then we can take it in as a regulated drain just like anything else. **Mr. Young** stated you mentioned rock, I don't remember you saying that. It's not that I'm against that, I can't put it in there. Not unless I get a permit that allows me to do it. **Mr. Hamilton** stated what we can do is investigate what you would be allowed to do to stabilize your stream bank as Mr. Borchers has suggested without a permit or if a permit is necessary, and what procedures would necessary to get a permit. The drainage board is not in a position to buy your property. I don't think that that's a solution that we can entertain. **Mr. Whitehead** stated let surveyor take the suggestion that Mr. Hamilton brought forth. Let the surveyor work with what Mr. Hamilton has suggested and see if there's any options, opportunities that can come about. **Mr. Young** stated I would be happy with that.

NEW BUSINESS:

Mr. Whitehead addressed Mr. Borchers and asked if he had any new business to present to the Board today.

Mr. Borchers stated at the last meeting when I brought the bids here, the board asked me to put three items in the specifications for these three bids that we're going to open. The first one was to cut the stumps 3" long. I put it in. That's our normal policy. The second one is to spray Tordon within 2 hours of being cut. I did not put that in. One of the reasons, is there's better chemistry out there than Tordon. Tordon is an RTU, it's ready to be used. So, you're paying for the water. Then I contacted the state chemist and he says, "You do have to have a license to spray it." I told him they spray them with a backpack and he says, "You still have to have a license if we're paying someone to do the work." So, I left that out of the of these three quotes just because of the timing issue. If it's something that we want to put in the next time we can do it, that's 100% fine. **Mr. Hamilton** asked what license is required to treat stumps? **Mr. Borchers** stated to treat stumps would be five, six, and four. **Mr. Christy** asked so if we did that inhouse, would that person have the license? **Mr. Borchers** stated I'm not for sure. I didn't ask that. We don't get enough money for paper, let alone get equipment to spray or treat ditches.

Hog Creek #13

Mr. Murphy stated I got 3 bids. JJC Excavating. Received 10:25 a.m. April 8th. He quoted a \$7.50 rate on 473 ft for the sum of \$35,27250. steps. Next one. Arnold's excavating received 2:45 p.m. April 7, 2025. Sealed envelope. **Mr. Christy** asked is that your new guy? **Mr. Borchers**, yes. He has never done work for me. **Mr. Murphy** stated this one appears to be quoted for \$16,400. Third one, Butler Masonry, received April 8, 3:00 p.m. Sealed envelope. Sum of \$9,900. **Mr. Hamilton** moved to award Butler Masonry. Motion seconded by Mr. Bothel. **Motion passed 5-0.**

Racer #6553

We have quote from JJC Excavating received April 8th, 10:25 a.m. Quotes a rate of \$7 for 5,588 ft. Total quote \$39,116. Arnold's excavating racer ditch. April 7, 2:45 p.m. Sealed envelope. Quote is for 19,000. Butler Masonry Racer Ditch, April 8, 3:00 p.m. Quote of \$57,000. **Mr. Hamilton** moved to award Arnold's Excavating to be completed within 90 days. Motion seconded by Ms. Riffin. **Motion passed 5-0.**

Fimple #182

JJC Excavating received 10:25 a.m. April 8th. \$10 per square ft, 730 ft at 7,300. Arnold's Excavating received April 7, 2:45p.m. \$2,000. Butler Masonry received April 8, 3:00 p.m. \$2,500. **Mr. Hamilton** moved to award Arnolds Excavating. Motion seconded by Ms. Riffin. **Motion passed 5-0.**

Mr. Borchers stated we have between 40 and 50 spots throughout the county that we've cleared in the past and put on the herbicide program. That's the cheapest way to keep ditches done. I have not had another company contact me to spray in the whole time I've been in office. The one I use is based out of Muncie but they do work in Blackford, Jay, Allen, Hamilton, and Bartholomew. Couple weeks ago, they got back from Vanderburgh, which is in Evansville. They travel around the state and they do a good job. They're the only ones that actually spray ditches and have the two licenses that we need in Delaware County. I know there's a couple up north of South Bend that I personally have bid against in the past, but I haven't had anybody in or contacted me. I haven't had the specs wrote up and put into a bid package in time to get it out this year. That's just on me. Some of the problem areas that we're going to spray, we'll probably spray before our next meeting. There's some in town that we've cleared when we get a species shift instead of thistles and trees. We get poison hemlock and you guys know how bad that is, and it's done growing by the end of May and it looks ugly. So, there's a lot of areas in town that I had them go down and spray. Basically, just a 24D mix to get rid of the poison helm lock thistles and that stuff. There's not a whole lot of trees there because we've been spraying them. There's, also a couple problem areas of Japanese Knotweed which is the new invasive species that everybody's trying to get rid of. One of the big areas happens to be out right by the sanitary district off of Martin Luther King. What I'm asking the board is, for this year can we continue to use the local company to spray the ditches? That will allow me time to put together an actual bid packet if we want to send it out next year. If there's anybody that's interested. **Mr. Hamilton** asked how will you be paying the existing contractor to do this work? **Mr. Borchers** stated per foot. Eight to twelves cents per foot each time they spray, that includes the cattail work. Typically, they only spray once. There will be times I send them back out if they don't do a good job or miss something and they spray it for free. **Mr. Hamilton** moves to award the spray business for 2025 to K&H Vegetation. Motion seconded by Mr. Christy. **Motion passed 5-0.**

Mr. Borchers stated I contacted Kyle Jonson, the sheet I usually print out that shows where we did all the work for the month I couldn't print. When I put it on the website it didn't record it for some reason. It was a county tile fix just south of Gaston. I apologize for not having that map.

Mr. Murphy stated Mr. Christy sent me an email about the possibility of board members appearing remotely for future meetings. If that is something the board is interested in, we can draft a policy. I would suggest we start broadcasting meetings in July. Maybe we can have a discussion next month I could put a draft policy together if the board is in favor of doing so. The statute only allows up to half of the board at a maximum at anyone one meeting. No board member could appear remotely for more than half the year under any set of set circumstances. The policy that I would draft would be consistent with the statute. You could direct me at the next meeting about any changes you want made and whether you want to adopt it at all.

Mr. Hamilton stated I have a petition for reconstruction of the Abe McConnell ditch. I have three signatures from land owners on that ditch. I've talked to several other land owners and have support. I would like to move forward with the reclassification process. The next step will be a public hearing and I will work with Mr. Borchers and Mr. Murphy to do that. **Mr. Murphy** stated we just need to make sure the petition is filed with the office and work on a hearing date.

OLD BUSINESS:

Mr. Whitehead addressed Mr. Borchers and asked if he had any old business to present to the Board today.

Mr. Borchers stated I have non at this time.

Mr. Whitehead asked any comments from the board at this time?

Mr. Christy stated I've tried to sift through the Indiana code a little bit. The surveyor's office carries cash balance of course, and that cash balance generates interest income? **Mr. Borchers** stated it does but the county gets it. **Mr. Christy** stated Okay. But from what I found, that's at the discretion of the treasurer or the auditor. **Mr. Borchers** stated correct. I've talked to every auditor that we've been through and I asked, can I get the interest for the maintenance account and we also have a perpetuation fund which that's for the cornerstone and has nothing to do with the drainage board and I was told every time, that it's been invested with the county there's no way to separate it out. If I wanted to get the interest back, they would probably take it out of my budget. My budget has no money in it anyways. If you take out the employees in the office, which only two of them get paid out of county general plus me. Then take out what I get for gas and oil for the truck. I think our whole office works on less than 5 grand a year. I would love to get it and it's something that we can bring up and you can ask Mr. Murphy, but I've asked before and we kind of got told no.

Mr. Christy what if we ask the County Council? **Ms. Riggin** stated good luck. Mr. Murphy, could we take out some of the money and invest it ourself in a CD or some place. Could they stop us from doing that? **Mr. Murphy** stated let me look into that. I haven't had the opportunity to look into that for a while. Let me take some time and get back with you next month. Are you talking about the interest? **Ms. Riggin** stated I'm talking about a chunk of our funds. **Mr. Murphy** let me

look at both of those issues, and get back to the board on what our options are if any, at the next meeting. **Mr. Christy** stated thank you.

Mr. Christy stated commissioners had a town hall meeting at Gaston. It was really good. Didn't have a lot of turn out from the public. There was a fellow there, Cody Light, got up and said that he was not happy with his drainage situation. Mr. Borchers stated he hasn't contacted the office. Step one contact me. Step two we will go from there. Give me his number and I'll contact him.

MAINTENANCE CLAIMS:

Mr. Whitehead entertained a motion for approval of the maintenance claims as presented. **Ms. Riggin** moved for approval. Motion seconded by Mr. Hamilton. **Motion passed 5-0.**

ADJOURNMENT:

The meeting adjourned at 10:16 a.m.

Jennifer Licht, Recording Secretary

William Whitehead, President

Joseph Hamilton, Vice President

Sherry Riggin, Member

John Christy, Member

Wayne Bothel, Member

