

REGULAR DRAINAGE BOARD MEETING:

May 14, 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 April 9, 2025 Drainage Board Meeting Minutes. **Mr. Hamilton** moved for approval. Motion seconded by Ms. Riggin. **Motion passed 5-0.**

PUBLIC COMMENT

David Howell, 122617 County Road 600 West. I'm here about the open ditch along 700 E and Centennial Ave., Liberty Township. We are coming up on the 2-year anniversary of trying to get something done there. Its obvious it's a capacity problem. It needs to be extended and made bigger. **Mr. Borchers** asked is this north of 32, the one Mr. Humbert talked about last year? Mr. Howell, yes it goes into Hog Creek. It drains at least 200 acres to the East. It floods there and goes across the road. I was wanting to repave it because it's starting to break off into the ditch. The landowner is willing to allow more ground to be taken up to make the ditch twice as wide and a little bit longer. I've tried to build up the bank a many number of times and it still blows out. **Mr. Hamilton** stated I looked at it after a 2" rain. I agree you are right it needs to be addressed. **Mr. Borchers** stated the reason nothing has been done, according to all my maps we have 3 tiles that run in that field that we have done reconstruction on. This ditch runs along the road and I have no maps that say it's a regulated drain. It was dug by the highway at some point, not the surveyor. I hate to use maintenance funds on something that isn't our ditch. It's up to the Drainage Board. Do we have to accept it as a regulated drain before we can use maintenance funds on it? **Ms. Riggin** stated back

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in the olden days a farmer would come to the Judge and tell him his problem and they would make it regulated. **Mr. Borchers** stated that was before there was a Drainage Board. The Drainage Board would have to except it. I need the okay to work on it because I have nothing that shows that it is regulated. **Mr. Bothel** asked how big of an open ditch is it roughly? **Mr. Howell** stated 250 yards. It needs to go a little farther because water is coming over the East end and washing out the sides. **Mr. Christy** asked have you talked to County Highway? **Mr. Whitehead** stated Mr. Humbert has been in here and addressed the board. The issue is, who has the responsibility coming up with the money to do the project. Mr. Humbert stated it was an issue and wanted to work with Mr. Borchers. I don't think the plans have been put together to address the situation. **Mr. Bothel** asked is there anything saying we can't co-fund it with the County? They have the equipment to do a lot of it. I think it would be a win for both parties. **Mr. Hamilton** stated we have the Brown ditch that crosses 700 East, how close is that to the problem area? **Mr. Borchers** stated where that tile crosses 700 East that ditch starts about 500 yards North of that. **Mr. Hamilton** what if we approach this as a reconstruction of the Brown Ditch and we had a petition from landowners for reconstruction of that ditch, have an engineer evaluation and then purposed a new design that included the open ditch area. **Mr. Borchers** stated that's fine. We just need a legal description of the new open area and the Drainage Board accepts it as a regulated drain. **Mr. Murphy** stated we would have to accept this portion as a regulated drain in any event. I think it would be appropriate for a petition to be filed on the Brown Ditch and that can get the ball rolling. **Mr. Borchers** stated in the Indiana Code it would fall under mutual drain. We can work on it, but we have to charge the landowners 100% of the maintenance cost. **Mr. Hamilton** stated if the landowners are willing to convert this to a regulated drain and pay the assessment to construct and maintain it, I don't see a problem doing a reconstruction or new construction. **Mr. Borchers** stated however the board wants to do it. **Mr. Hamilton** stated from what I've seen, it's not a repair job it is a construction or reconstruction job. I think that a proper engineering design would be the route that we should go. It would be up to the landowners to evaluate and see if that is a solution they would like to proceed with. **Ms. Riggins** asked how many landowners are there? **Mr. Hamilton** stated the way it would work, during the process they would define the watershed and that would determine how many landowners and acres are involved. **Ms. Riggins** asked and it has to be 100%? **Mr. Hamilton** stated 10% of landowners have to support a petition for an engineering design. 60% of landowners have to support implementation of the purposed solution. **Mr. Bothel** asked do you think 10% of the landowners will sign a petition? **Mr. Borchers** stated 10% of the acres not landowners. **Mr. Howell** stated I assume people would be compatible with it. They're farmers. Landowners are least understanding. **Mr. Hamilton** stated the next step will be getting 10% landowners to sign a petition for an engineering study, at that point the drainage board will decide whether to approve to proceed with the study. **Mr. Borchers** stated my personal opinion. If our objective is to make a quarter or half mile of the ditch wider, we should make it a new ditch then we are only involving the people in that area. If we do a reconstruction on the Brown tile, we are going all the way to town. I think that will narrow our scope as far as who is involved verses going through neighborhoods. **Mr. Bothel** stated sounds like we need to get started with a petition. Who needs to do that? **Mr. Murphy** stated its up to the landowners to file a petition with the board. Any board member can assist them. **Mr. Hamilton** stated Mr. Howell, I will get you the petition after the meeting, gather signatures and we will move forward at the next meeting if we have the signatures. **Mr. Howell** stated great. I appreciate your interest. Thank you.

NEW BUSINESS:

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

Wes- Del Bridge Project

Mr. Borchers stated my first order of business is Wes Del Schools wants to build a bridge across our ditch. They built a similar bridge 3 or 4 years ago. They did a really good job on that one and this one is going to be the same scope. I don't see a problem with it hurting anything. It seems like a good project for the Eagle Scouts. **Mr. Christy** moved for approval. Motion seconded by Mr. Hamilton. **Motion passed 5-0.**

Abe McConnell #281

Mr. Hamilton stated I'm asking permission to tie 18" tile into the Abe McConnell Ditch north of Waynewood Addition. I sent an aerial picture and coordinates to the surveyor. This will drain about 140 acres into the ditch. This project is not contingent upon the reconstruction project on this ditch. **Mr. Borchers** stated I went out there yesterday in between rains. It's a 24" pipe he is tying into and it was flowing well. It was only about a quarter of the way up. I don't see a problem with it. **Mr. Whitehead** asked if there were any more questions and for a motion to approve. **Mr. Christy** moved for approval. Motion seconded by Ms. Riggins. Mr. Hamilton abstained. **Motion passed 4-0.**

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 none at this time.

Mr. Murphy state I have a couple items. I wanted to let the board know, yesterday I sent out a draft of the remote policy. Its consistent with statute. There are a couple things the board could decide to do. Don't have to take it up today, you can do it at the next meeting or whenever you choose to do so. Also, I looked at the investment of funds. Statute 36927113; whether interest on maintenance funds should remain with the board. I do think that statute provides that interest should remain with the board. As I recall from the last meeting there are some difficulties in the Auditors/ Treasures Offices accounting process to do that. With the Boards permission I would like to write a letter to those Officials and also the County Attorney indicating we should retain the interest if that is acceptable with the Board. **Ms. Riggins** stated you might add County Council. **Mr. Murphy** stated I would be happy to do that. **Mr. Hamilton** moved for approval. Mr. Bothel seconded. Ms. Riggins abstained. **Motion passed 4-0.**

Mr. Murphy stated the last item is we have put together a notice for public hearing and the list for landowners for the Abe McConnell project. I have drafted that for the June regular meeting. I

anticipate that will be on our next regular meeting agenda.

Mr. Christy asked is there any kind of update on Mr. Young that was here the last time? **Mr. Borchers** stated I talked to the DNR and got all the information together. I will call him and explain it to him as far as how he can go about maintaining his ditch without the fear of DNR fining him. It's a simple page and half permit process you send in and they send it back to you. I will get that to him this week.

MAINTENANCE CLAIMS:

Mr. Whitehead entertained a motion for approval of the maintenance claims as presented. **Mr. Hamilton** stated I have some questions. On the Schneider repair, the white river southwest watershed, is the address correct on that job site? The address that shows up is in Madison County on 100 West. **Mr. Borchers** stated the actual job is off of 1000 in Delaware County on the other side of the interstate. Sometimes it is vacant land and the address we use is the landowner's home address. If you get on the web site or the print out, I gave you, it shows exactly where it is. **Mr. Hamilton** stated the invoice and the maintenance claim both say 100 W. The only thing I ask is that the location of the repair is added to the claim. **Mr. Borchers** stated okay I can do that. **Mr. Hamilton** stated the other one I had a question about was, South of Eaton in the mississenewa watershed, the JJC claim says 2 or 3 trees down in creek about 150 yards off the road behind house. The claim was almost \$8,000. What is the story there? **Mr. Borchers** stated he went and cleaned out the trees then he didn't get his claim in on time. Then we had the big storm with the tornados that came through, the lady called back with more trees down and was in a panic about it flooding her house. I told Stan to give JCC a call and use the same work order number instead of writing a new one. Its basically 2 different log jams in the same location. **Mr. Hamilton** asked is the amount that was charged reasonable for the amount of work that was completed? **Mr. Borchers** stated I didn't look at this one. Its one that Stan looked at when I was out of town. **Mr. Willis** stated sometimes it takes a while to get back to it. **Mr. Hamilton** stated my concern was that the work order was written for 2 or 3 trees down and the amount paid seemed unreasonably large for description in the work order. If he was asked to do more work, could the work order be amended to better describe the work that was performed? **Mr. Borchers**, sure. **Mr. Bothel** asked is there anymore pictures of what he done? **Mr. Borchers** stated no, he is horrible with pictures. **Mr. Bothel** stated he's going to have to get better. It's got to be documented. You can tell him if he doesn't, we will quit awarding him work orders. **Mr. Borchers** stated I basically told him that and so did Jennifer. **Mr. Hamilton** stated I don't have any other questions. **Mr. Bothel** stated he did remove the beaver dams as I asked but all the debris is left. He kicks it out, back up on the banks. If another beaver shows up all the material is right there for them to build another. Somebody's going to have to go in on both sides. **Mr. Borchers** stated I will get a contractor out there to remove the debris. The beaver guy only has a 4-wheeler and canoe. He's one of the few who has a license to trap all year. **Mr. Hamilton** stated it sounds like he removed the beavers as requested, but I do not believe he should be charging us for the dams if he doesn't have the equipment to remove the dams. **Mr. Borchers** stated most of the dams he removes are smaller. This one was a large one and I usually tell them if it's a large one to let me know. If you want me

to send a contractor in after he removes the dams I can. I would say 80% of the dams he removes are done to satisfaction. This one caught me off guard when I saw the pictures after words. It's hard for me to know when he's done trapping beaver to go check. **Mr. Bothel** stated go out and look at all the tunnels. They are bank beavers. There's a tone of them.

Mr. Christy asked K&H Vegetation WO# 7233, we sprayed 30,108 ft., is that square ft.? **Mr. Borchers** stated no, its linear ditch ft. about 3 miles. I take it that's the Ham-Miller, that's the one that starts over by the sanitation department off of Broadway and goes out to IMI. We have a problem with poison hemlock. We can't afford to mow it every year. Its cheaper to have them spray an early application of 2,4-D. **Mr. Christy** stated so this is ditch bank approximately how wide? **Mr. Borchers** stated it depends on the area. In Morningside its from bottom of water up to 12 ft wide. If there is a right of way, they spray that too. **Mr. Christy** asked so they have pretty easy access to that full length. **Mr. Borchers**, yes. **Mr. Cristy** stated so we are basically spraying with 2,4-D amine and water? **Mr. Borchers** for the first early spray. Like I said there's only a hand full I do that with. **Mr. Christy** asked and they're listing an activator. Do you have any idea what that activator is? **Mr. Borchers** stated its surfactant it's a little different than crop oil. It doesn't heat it up as much. **Mr. Christy** asked will that have to be resprayed? **Mr. Borchers** stated some of it will for brush. **Mr. Christy**, that's all the questions I have. **Mr. Hamilton** moved for approval of the maintenance claims as presented. Motion seconded by Ms. Riggins. **Motion passed 5-0.**

ADJOURNMENT:

The meeting adjourned at 9:42 a.m.

Jennifer Licht, Recording Secretary

William Whitehead, President

Joseph Hamilton, Vice President

Sherry Riggins, Member

John Christy, Member

Wayne Bothel, Member

