

REGULAR DRAINAGE BOARD MEETING:

February 16, 2015

President Clarence Hensley called the meeting to order. Roll call held. Present at the meeting were the following:

Clarence Hensley, President
John Landers, Vice President
Shannon Henry, Member
William Whitehead, Member
Charles Whitehair, Member
Brandon Murphy, Board Attorney
Phil Taylor, Surveyor
Cindy Harty, Recording Secretary

Mr. Hensley opened the meeting by inviting all to participate in the pledge of allegiance.

APPROVAL OF THE MINUTES:

Mr. Hensley entertains a motion for the approval of the January 9, 2015 and the January 20, 2015 Drainage Board minutes. Mr. Whitehead moved for approval. Mr. Henry seconded the motion. **Motion passes 5-0.**

OLD BUSINESS:

The Andersons, Inc. (The Maddox Ditch)

Mr. Murphy informed the Board that he had taken over the Proposal/Maintenance Agreement originally prepared by Mr. Dunnuck to the Andersons, and he has obtained the Andersons' signature on the document to move the drains so they can construct a drain bin. Mr. Murphy stated that they (the Andersons, Inc.) would take over the maintenance of the drain related to the moving of the tile, so the Board needs to act on it.

Mr. Taylor informed the Board that Mr. Murphy had done a great job at expediting this matter

in getting it completed. Mr. Taylor stated that he thinks the Andersons were dragging their feet and Mr. Murphy put a little fire underneath them, and got it done, Furthermore, Mr. Taylor stated he felt the Andersons were going to let it bypass by the Board, and they were not going to let that happen.

Mr. Whitehead moved for approval of the Maintenance Agreement. Mr. Henry seconded. **Motion passed 5-0.**

NEW BUSINESS:

Changing of the Drainage Board Meeting Times

Mr. Henry stated that he is the one who originally requested the time change, because he has another job, and needed to have the meetings changed to later in the day, if possible. Mr. Henry stated that 2:30 p.m. would be great, but he would leave it up to the rest of the Board. Mr. Landers stated that he had no problem with changing the times, and he makes a motion to change the Drainage Board meetings until 2:30 p.m. Mr. Henry seconded. **Motion passed 5-0.**

Request to Tie-In to the Brandon Ditch

Duane Jackson, 9950 S. 800 West, Daleville, Indiana, approached and stated that he has made a request to the Surveyor to tie-in to the Brandon Ditch. Mr. Jackson stated he e-mailed a map in, but is not sure how it shows on the Mylar, but believed it shows the Francesco and Helen Wisheart farm. Mr. Jackson stated he purchased that land approximately a year and a half ago, and the Brandon Ditch is located across the road from the property. Furthermore, Mr. Jackson stated that currently a private drain flows from the northwest corner of that Wisheart farm, but does not know where it flows, and stated it does not work properly. Mr. Jackson stated that water stands in the center of the 160-acres, which is a wetland, and it flows through that wetland, and the wetland is keeping the tile full constantly. Mr. Jackson stated that downstream they had dug up one place and it was an 8-inch tile close to the wetland, but it is completely full, in bad shape, and the water is just barely moving through it. Mr. Jackson informed the Board he would like to cut across the road and run a new outlet into the Brandon Ditch and replace that tile going up through the wetland. He stated that he had a wetland determination made on the farm and he can go through the wetland, but must use non-perforated tile. Furthermore, he stated eventually he would like to install more laterals in that 160-acres to drain that farm more. Mr. Jackson stated the wetlands do not really show up on the map, but it is approximately right in the center of the 160-acres with the wetland being a 2½ acre wetland, and the current ditch goes at a 45-degree angle right across the farm from the northwest to the southeast, so it keeps moving all of the water down to the lower area.

Mr. Taylor asked Mr. Jackson if he would be disturbing the wetland. Mr. Jackson stated no. Mr. Taylor stated if he did disturb the wetlands, he would need to contact DNR and get their blessing on the work. Mr. Taylor stated if there was an existing tile and it is a regulated drain, that would not be a problem, but if not, he could get sideways with the DNR if he does not ask for their blessing first. Mr. Jackson stated that he has had approval to replace the tile that is currently located there with non-perforated tile. Mr. Jackson stated there is old clay tile, which is technically perforated, and through the wetlands, the tile is in good shape. He stated that he really does not know where that northeast outlet goes, but it ends up in the open ditch of the Brandon Ditch. Furthermore, Mr. Jackson stated he knows it has to go up a ½-mile north and then ½-mile west to get there, and would like to cut across a little ways, and then water would flow straight to the Brandon Ditch, which would end up at the same place. He stated this would save about one-half to three quarters of a mile of drainage. Mr. Jackson stated he owns the property right across the road. Mr. Taylor stated that he has seen this, but asks about the cross cut across the road, and asks what road is it. Mr. Jackson stated 800 West, Middletown Road. Mr. Taylor stated that before he does this, he needs to talk with Angie Moyer at the Highway Department, and wondered if Mr. Jackson had done this. Mr. Jackson stated he was not planning to do so until he found out if he could do this or not. Mr. Taylor stated what will happen when he does the cross cut, they will have to notify the schools, the medical facilities, the police, and the fire departments. Mr. Jackson stated that they just did one approximately three quarters of a mile north about a year and half ago and Bob Clark of Clark Farm Drainage did the work. Mr. Taylor informed him to let everyone know so he does not get in trouble with anyone. Mr. Jackson stated that Mr. Clark does not want to get into trouble either.

Mr. Hensley asked Mr. Taylor what his advice would be on the matter. Mr. Taylor stated he has no problem with Mr. Jackson doing that, and stated that he knows where Mr. Jackson is talking about, has been out at the location, has looked at it, and feels Mr. Jackson will do a good job. Mr. Taylor recommended that the Board go ahead and let Mr. Jackson do the work. Mr. Taylor suggested that when Mr. Jackson does this, for him to take pictures for himself and for the Surveyor's Office so if there are any questions in the future, then the pictures would be available.

Mr. Jackson stated that what they will end up doing is digging up the Brandon Ditch and probably replacing approximately twenty-feet of that. Mr. Jackson stated he feels there is already some plastic pipe, which has been replaced in sections, but if they are into the clay tile after digging, they will go ahead put some new pipe in. Mr. Jackson stated where they are tying-in will be good plastic. Mr. Taylor recommended that the Board allow Mr. Jackson to proceed with the work.

Mr. Henry moved for approval. Mr. Whitehead seconded. **Motion passed 5-0.**

Indiana and Michigan's Upcoming Project in Delaware County

Mr. Hensley called for Chris Welbaum from Indiana and Michigan. Mr. Taylor stated that Mr. Welbaum was suppose to be at this meeting and apparently something came up. Mr. Taylor

informed the Board that AEP/Indiana and Michigan wants to replace a tower, which runs near Highway 28 west of Highway 3, approximately ½-mile. Mr. Taylor stated AEP wanted to inform the Board as to what they planned to do in that area. Mr. Taylor recommended the Board look at the schematic furnished to the Board by AEP. Mr. Taylor stated he does not feel AEP/Indiana and Michigan will cross the county drain all the time, but they just wanted us to be aware in case they needed to. Furthermore, Mr. Taylor stated they are replacing T-flanges on the high-tension wires. Mr. Taylor stated that he does not have a problem with AEP/Indiana and Michigan doing that. Mr. Taylor stated he informed Mr. Welbaum when work is being done, he should take photographs for the Surveyor's files; and also if anything is broken, AEP will be responsible for repairing such, and Mr. Taylor stated that Mr. Welbaum had no problems with that. Mr. Taylor informed the Board that AEP is very good about being cautious whenever they cross a ditch. Mr. Taylor recommended that the Board approve AEP's request, as long as they inform him or his office when the work begins and when it is finished.

Mr. Welbaum appeared and apologized for being late. Mr. Welbaum stated he is the Right-of-Way Agent contracted to AEP/Indiana & Michigan Power Company. He stated that AEP has scheduled work in Delaware County, Indiana, on replacing twelve structures on the Desoto – Deer Creek – Delaware line. Mr. Welbaum informed the Board the project is scheduled to begin in approximately March, barring unforeseen circumstances, on the east side of the line near the intersection of East County Road 350 North and North County Road 400 East. He stated that the project would proceed west and end near the intersections of West Royerton Road and Wheeling Avenue.

Mr. Taylor stated that AEP/Indiana and Michigan has been very good neighbors with the county by always letting us know their intentions. Mr. Taylor stated that Mr. Welbaum and he have talked, and understood that if they cross any regulated drains or ditches and anything happens to them, that AEP would be responsible for the repair. Mr. Welbaum stated that he is aware that if any drains and/or ditches were damaged, it would be AEP's responsibility to repair those.

Mr. Henry asked if they would be taking cranes out into the area. Mr. Welbaum stated that is correct (**RECORDER DID NOT PICK UP**) because we are actually replacing the structures, so AEP will have to first pour the foundation, erect the new structure, switch all the lines over, and then remove the old structure, so it would be cranes, concrete trucks, dump trucks, which are all heavy equipment. Mr. Henry stated that he is okay with that, but recommended that if AEP gets hung up in what they think is a tile, to make sure they get a hold of Phil Taylor, to check and make sure they are not into a county drain. Mr. Welbaum stated absolutely. Mr. Henry moved to approve AEP's request.

Mr. Taylor stated he would like to inform Mr. Welbaum that whenever they are crossing their tile, he would like them to take before and after pictures, and furnish those pictures to his office. Mr. Taylor stated that Mr. Welbaum could mark it on a schematic, drawing or however he wants to do it, where they are going to cross the tile. Furthermore, Mr. Taylor stated that information would be for future references if there were problems in the future. Mr. Welbaum agreed with Mr. Taylor.

Mr. Whitehead seconded Mr. Henry's motion. **Motion passed 5-0.**

Bell Perce/Riley-Stafford Ditch

Mr. Taylor stated that today they are doing the crosscut on Gregory Road at Bell Perch. Mr. Taylor stated the pipe is installed correctly and hopefully by no later than tomorrow they will be done with the complete project. Mr. Taylor stated they have too much money invested in that project and they should not have, but with that being said, it is fixed, and is fixed right.

Mr. Henry stated that he has been out there several times and they are doing a good job, and it looks good to him. Mr. Whitehair stated that he informed Phil earlier that he has the first farm east of Bell Perch and he has water standing in the culvert. Mr. Whitehair stated that is suppose to come and go through the culvert and then back down. Mr. Taylor stated that as long as they get and keep the water from the front of Bell Perch, is all he is worried about, but informed Mr. Whitehair to contact Angie Moyer at the Engineer's Office.

Commissioner Sherry Riggin approached the Board and stated that she has a little project she is working on and since some farmers are present today, she wanted to acknowledge the farmers and support them. She stated as a former farmer from years ago, she did know they have to have good drainage and she appreciated all the work that all the folks do to get the water carried away. She stated this little project is to get the water off the roads into the ditches down to the culverts, creeks and rivers. Ms. Riggin stated she is finding that new equipment is needed and they cannot keep doing things the way they have been done in the past. Furthermore, Ms. Riggin stated that she came across a company through some commissioners and superintendents, and it is called the Maddock Company, which has been in business for some time. She stated that the Maddock Company has one machine called a "RD-90 Ditcher", which reminds her of a big fat trashcan that has all of these little drills on it and is pulled behind a tractor of 60 horsepower or more. Ms. Riggin stated that it has a 1,000 PTO shaft that runs it, and if this machine was purchased new it would cost \$120,000.00, but they have a used one for \$57,000.00. Ms. Riggin stated she would like to get it up here in a week or so for a demonstration, and invited the Board to see the demonstration. Ms. Riggin wondered if after a monthly meeting would be a good time for the Drainage Board to see the demonstration. Furthermore, Ms. Riggin stated that the company is holding the machine for her, but they do have a chance to sell it. She stated that as they can see, one person can drive this machine and they can see the comparison of using two dump trucks, a grade-all, and probably a flagger like we do today. Ms. Riggin stated they would probably have to send the community corrections people out to walk the ditches, because we sure do not want to send a bunch of plastic, trashcans and everything out to the farmers' fields. She stated that the machine could be used when water is in the ditch, and it throws it right back out to the field, so it can be used after the crops or before the crops go in, so all winter. Ms. Riggin stated she just needs some discussion on the matter.

Mr. Hensley stated that he could not see where the Drainage Board can do anything with this issue. Ms. Riggin stated that she knows they cannot, but wonders if they think they have a problem with getting the water into the ditches and down to the creeks. Mr. Hensley stated that it sounds good.

Ms. Riggin stated that we know now-a-days our farmers take down the fence row and then some of them farm three or four feet from the road, and there are ditches with all that silt running into the culvert, into the ditch down to the culvert. Mr. Hensley asked if anyone has any comments. Ms. Riggin asked if they would like to see the machine work. Mr. Landers and Mr. Hensley stated they would be interested in seeing it. Mr. Hensley asked where it is being utilized now. Ms. Riggin stated that it is online, and she has Clay County and Gibson County Superintendents who have been using it and are very pleased with it. She stated she is thinking about inviting the newspaper out to see it. Ms. Riggin stated that they are in Bloomington, and they would have to bring it up here. Mr. Hensley asked if it would be at their cost. Ms. Riggin stated it would be at their cost. Furthermore, she stated she thought they would have to drive all the way down there, he has it going to White County after us, so that is why she is wanting to get it up here before he sells it down at White County. Mr. Hensley asked if he was going to drive it up here and demonstrate it. Ms. Riggin stated the company would bring it up here and demonstrate it. Mr. Hensley stated he has no problem with that. Ms. Riggin stated I did not know if you would like to be there. Mr. Landers stated she would have to pick a spot for the company to demonstrate it. Ms. Riggin stated she has a location on 300 East and she stated, “What made me think about this is I was driving down the road and coming over a little crest, and there was water in the road. It was the first weekend of December, and we hadn’t had a rain for two or three days, and the water was coming across the road about that much (using her hands), so I stopped and the ditch was just full of crabgrass all the way down to the culvert. It needs to be cleaned out.” She stated she called the person, because there was one that she wanted, but it was like a windmill and that machine drove against traffic. Furthermore, Ms. Riggin stated this one goes with traffic so people can go around this one much easier, and does not think a flagger would be needed. Mr. Hensley asked when they were going to bring it up. Ms. Riggin stated that she would have to call and set it up. Mr. Hensley asked if she would set something up and let the Board know. Ms. Riggin asked if afternoons were better for them, because she knows for the commissioners, afternoons are better. Mr. Hensley stated yes afternoons would be fine. Ms. Riggin stated okay and asked if the farmers have any comments.

Mr. Whitehair stated that it looks like a county highway department machine for doing side ditches. Ms. Riggin stated it is, but she just wanted the people to be aware. Mr. Whitehair stated he was sure it moves fast and has car-byte teeth, and it would be high maintenance. Ms. Riggin stated yes it does, and stated that the company said about 100 hours then they would have to replace some of those, especially if they start hitting fence posts and stuff like that. She stated that is why they would need to get community corrections out there to help pick up trash, beer cans, and stuff like that. Ms. Riggin thanked the Board. Mr. Hensley thanked Ms. Riggin and asked if there were any comments or any other issues for the Board. No issues or comments are brought before the Board.

MAINTENANCE CLAIMS:

Mr. Hensley entertains a motion to approve the maintenance claims as submitted. **Mr. Whitehead** so moved. **Mr. Whitehair** seconded the motion. **Motion passes 5-0.**

ADJOURNMENT:

The meeting adjourned at 1:18 p.m.

Clarence Hensley, President

John Landers, Vice President

Shannon Henry, Member

William Whitehead, Member

Charles Whitehair, Member

Cindy Harty, Recording Secretary