

# Henry County Drainage Board

**Henry County Office Building  
1201 Race Street, Suite 216  
New Castle, Indiana 47362  
765.529.4802**

**Joel Magiera-Chair  
Jeff Cates-Vice Chair  
Stephen L. Rust-Surveyor  
Ruth Gard-Drainage Board Secretary**

**Steve Dellinger-Commissioner  
Steve Houchins-Member  
Chase Heinold-Member**

The Henry County Drainage Board met Wednesday, March 8, 2023 at 9:00 a.m. in Suite 117 of the Henry County Office Building, 1201 Race Street, New Castle, Indiana 47362, with the following members present: Joel Magiera-Chair, Jeff Cates-Vice Chair, Steve Dellinger-Commissioner, Steve Houchins, Steve Rust-Surveyor and Ruth Gard- Drainage Board Secretary.

Absent: Chase Heinold

Public Presence: Joe Copeland - County Engineer, Lori Pritchett, Rick Ware, Duane Clark, Rebecca Byrd and Patricia Cronk

The meeting was called to order by Joel Magiera, Chair.

The February 8, 2023 minutes were presented to the board.

Mr. Dellinger made a motion to approve the February minutes. Mr. Houchins seconded the motion. Motion carried 4-0.

Mr. Magiera presented to the board the claims for March 8, 2023.

CLAIMS					
Henry County Drainage Board				March 8, 2023	
Drain #	Drain Name	Vendor	Invoice #	Name, Parcel #	Amount
505	Bowers-Sanders	Chapman Farms	989	Chapman / 008-01215-00	\$ 811.50
505	Bowers-Sanders	Chapman Farms	990	Day / 008-01210-00	\$ 219.00
562	Cary George-Wm Lamberson	Fred's Excavating	2399	Eakins / 002-02312-00	\$ 1,856.20
564	Leslie Reeves	Fred's Excavating	2401	Glover / 003-01411-00	\$ 15,000.00
512	Earl Coon	Fred's Excavating	2402	Cronk / 005-00914-00	\$ 11,700.00
553	Thomas Willis	Gossage Excavating	2202023	Gardner / 012-02905-00	\$ 680.00
522	Mark Huffman	Gossage Excavating	2212023	Jester / 001-00202-00	\$ 510.00
528	Sam Lamberson	Hayes, Copenhaver, Crider, Harvey	64792	Tower	\$ 87.50
561	AJ Baker	JJC Excavating	179	Luellen / 002-00703-00	\$ 22,000.00
549	JJ Vance	Pritchett's Backhoe Service, LLC	27272	Willis / 011-00634-00	\$ 3,936.25
505	Bowers-Sanders	Pritchett's Point LLC	1460	Chapman / 008-01215-00	\$ 785.75
553	Thomas Willis	Pritchett's Point LLC	1462	Gardner / 012-02905-00	\$ 228.40
549	JJ Vance	Pritchett's Point LLC	1467	Willis / 011-00634-00	\$ 1,244.80
	Total				\$ 58,028.90
General Improvement Fund #1158					
Drain #	Drain Name	Vendor	Invoice #	Name, Parcel #	Amount
					\$ -
	Total				\$ -

Mr. Dellinger made the motion to approve the March claims as presented. Mr. Cates seconded the motion. Motion carried 4-0.

### **548 JH Thompson – Bell Creek – Rick Ware**

Mr. Rust informed the Drainage Board that Rick Ware wanted to address the board. Mr. Ware is concerned about the ditch that was cleaned is wider than downstream on parcel 008-02225-00. Tim R Brenda J Chapman own parcel 008-02201-00. Mr. Chapman was happy with the cleaning of the ditch. Mr. Ware was concerned that the water is slowing down when it enters parcel 008-02225-00, coming out of the woods.

Mr. Rust ask Mr. Copeland is they could do drain calculations on both parcels. To check and make sure the flow is not restricted.

Mr. Copeland needs the slope and area to calculate the capacity of the ditch. Mr. Rust will bring the information back to the April meeting.

### **570 George Lewis & 504 Bolen-Larimore – Duane Clark – 2 Petitions on Legal Drains from 1992**

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THE HENRY COUNTY DRAINAGE BOARD, met in session on Monday, June 8, 1992, at 1:30 P.M. in the Commissioners Courtroom in the Courthouse in the City of New Castle, Indiana. Those in attendance were William D. Cronk, Chairman, G. Robert Bitler, John McGrady, Haldon Ashton, Surveyor, Nancy S. Brown, County Attorney and Marjorie Becker, Secretary.

A motion was made by Mr. McGrady seconded by Mr. Bitler to approved as presented. Motion carried unanimously.

Maurice Clark presented a petition requesting the Drainage Board to take a 2460 feet of tile drain in the counties drainage system. Mr. Clark and his neighbors have put in new tile. Mr. Farmer Surveyor's Fieldman has inspected same and said that it meets the county specifications.

A motion was made by Mr. Bitler seconded by Mr. McGrady, to take the above tile drain into the county drainage system. It is to be known as the Maurice Clark Tributary to the George C. Lewis Drain. Motion carried unanimously.

Mr. Cronk, stated that Mr. Gerald Riggs & Iva Myers have requested that the George C. Lewis Drain be take off assessment. Mr. Ashton explained that they are going to do some work on the drain, therefore it needs to remain under assessment.

A motion was made by Mr. Bitler seconded by Mr. McGrady to approve the following claims as presented. Motion carried unanimously.

**MOSIER PRIDE EXCAVATING, INC.**

Willard Goggin farm	Carey George Drain	\$3,272.12
Rhoda Welsh farm	Charles Elliott Drain	560.00
Mrs. Mary Robinson farm	Walter Zirkle Drain	1,566.50

**ECONOMY TILE CO.**

Willard Goggin farm	Carey George Drain	3,018.34
Bill Griffin farm	James Jones Drain	14.40
Mrs. Ben Surface & Mable Montgomery farm	Huber, Martin, McFarland Drain	341.40

**MELTON EXCAVATING**

Fowler farm	Carey George Drain	120.00
Bailey farm	J.C. Hagner Drain	360.00

**GUY CONSTRUCTION & EX. INC.**

Jesse Riggs farm	Guy Bolen Drain	80.00
C. Thorpe/C. Staqua farms	J.J. Vance Drain	563.43
Mrs. Joe Parker Bob Cronk farms	Earl Coon Drain	2,166.90

**IRVING MATERIALS, INC.**

Mary Robinson farm	Walter Zirkle Drain (Laura Painter Trib)	491.01
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J.D. Masters was in to discuss a drainage problem on the Glenister Casey farm. Bob Farmer explained that there is no legal Court drain on this ground.

Mr. Ashton stated that his understanding is the County has no jurisdiction over this area, if there is a problem, the property owner and neighbors need to fix it their selves or they need a petition to request reconstruction of this drain.

RE: Guy Bolen

Mr. Bob Farmer explained that several years ago there was approximately 1300 feet of 12" tile put in on the Cecil Ebbert farm, it is in good shape and drains well. Mr. Farmer is asking the Drainage Board to take this portion of the drain into the Guy Bolen Drain.

A motion was made by Mr. McGrady seconded by Mr. Bitler, to approve the 1300 feet of 12" tile drain on the Cecil Ebbert farm being taken into the Guy Bolen Drain, this will be known as the Bob Farmer Tributary to the Guy Bolen Drain. Motion carried unanimously.

RE: Harry Jennings Drain:

Mr. Farmer informed the Drainage Board of the existing problem on the Harry Jennings Drain located on 103 & County Road 100 So.

Mr. Ashton recommended that this should be rebuilt, have a hearing and have it reconstructed.

A motion was made by Mr. McGrady seconded by Mr. Bitler, to remove from table and re-advertise to have a hearing for reconstruction of the Harry Jennings Drain on August 10, 1992 at 2 P.M. Motion carried unanimously.

Mr. Ashton requested that the Drainage Board split the F.W. Murray Drain back to the three original drains: (1) F.W. Murray/Minnie Dean, (2) Hark Marshall, (3) Mike Bookout, also divide the same as follows:

### 504 Bolen-Larimore - Duane Clark - 006-00204-00

Mr. Rust informed the Drainage Board that Mr. Duane Clark is paying for new tile on parcel 006-00204-00. The contractor presented three options for new tile, 1700' of 12" single

Mr. Rust informed the Drainage Board that Mr. Duane Clark came to the office to discuss two legal drain petitions. Mr. Clark looked through the books to find the minutes on the two petitions.

The minutes on June 8, 1992 state the Drainage Board voted to approve taking in 2460 feet of 10" tile on the 570 George Lewis legal drain.

The minutes on June 8, 1992 state the Drainage Board voted to approve taking in 1300 feet of 12" tile on the 504 Bolen-Larimore.

The minutes are attached below.

For some reason these did not get mapped or shown as tiles the Drainage Board has taken in. Mr. Clark is asking that this be done today.

Mr. Dellinger made a motion to make this approval official as discussed among the Drainage Board at the March 8, 2023 meeting. Mr. Houchins seconded the motion. Motion carried 4-0.

wall, 1700' of 12" dual wall or 1700' of 10" dual wall and 2500' of 4" laterals. Mr. Clark is going with 1700' of 10" dual wall tile. Mr. Clark will bring in a paid invoice once the job is completed. Mr. Clark will also bring back a petition with the other land owner's signatures when petitioning the Drainage Board to take the tile in as a tributary of the 504 Bolen-Larimore legal drain.

Discussion only.

#### **524 Ossie Johnson - 007-83621-00 - Cronk**

Mr. Rust informed the Drainage Board that Mrs. Pat Cronk would like to discuss parcel 007-83621-00 in the 524 Ossie Johnson legal drain.

Mrs. Cronk is going to sell this parcel but would like to keep part of the parcel. They would need a variance to put in a culvert and drive way over the tile. If the tile had to be fixed, it would be fixed and the Drainage Board is not responsible to replace the driveway.

Discussion only. No action taken.

#### **548 JH Thompson - 008-01506-00 - Wilson**

Mr. Rust presented a private and mutual drain connection permit. Mr. Garry Wilson / Tri W Farms Inc. owns parcel 008-01506-00 and 008-01505-00. They will be bringing in more water in the 548 JH Thompson legal drain. The additional acreage will need to be assessed.

Mr. Dellinger made a motion to accept Mr. Wilson's tiling project, provide all the affected acres come into the watershed, to the property line. Mr. Cates seconded the motion. Motion carried 4-0.

#### **549 JJ Vance - 011-01125-00 - Bunner - Drainage Project**

Mr. Rust discussed with the Drainage Board, parcel 011-01125-00, Mr. Mark Bunner. There was discussion about doing a contract with Mr. Bunner for the reconstruction of tile across parcel 011-01125-00. The county would pay for the tile and Mr. Bunner will pay for the labor. The drainage funds would repay Mr. Bunner back for the labor over 5 to 7 years, whichever is agreed upon. Keeping twenty-five percent in the fund and paying the rest to Mr. Bunner until the cost of the labor is paid in full.

Mr. Houchins made a motion to approve the 549 JJ Vance legal drain reconstruction. The county will pay for the pipe and land owner will pay for labor. The labor will be paid back over the next 5 or 7 years, to be decided. Mr. Cates seconded the motion. Motion carried 4-0.

#### **Petition - Discussion**

Mr. Rust presented a draft for a petition to designate a private or mutual drain as a legal drain. Discussion on adding the parcel number and land owner's name.

Mr. Houchins made a motion to accepted the petition, with the addition of parcel number and land owner's name. Mr. Cates seconded the motion. Motion carried 4-0.

**Revised Site Plans - Co-Alliance - 011-01973-00 Update from Joe Copeland, County Engineer**

Mr. Copeland update the Drainage Board on Co-Alliance. They have to detain all their water, so they originally built a pond. A holding area was put in to the east of the building. A swale was put around a portion of the building on SR 3. Mr. Rust restricted the amount of water going into the regulated drain.

There is another building going in south of the first building. They purposed to bring a tile around it into the regulated drain. They only have 12" access. Mr. Rust suggested they run the swale around to the retention pond. The .25 percent is the slope of the swale.. Mr. Copeland said they need to put in perforated tile under the ditch.

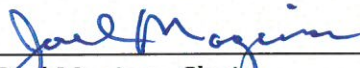
A new driveway is also being put in. The railroad is also putting in a spur.


Update only. No action taken.

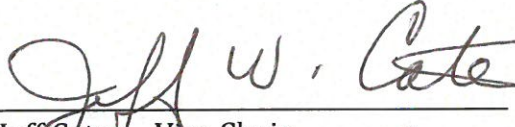
Mr. Dellinger made a motion to adjourn. Mr. Houchins seconded the motion. Motion carried 4-0.

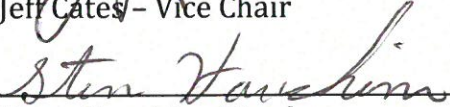
Dated this 08th day of March 2023.

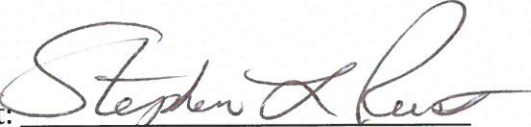
**Henry County Drainage Board:**

  
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Joel Magiera-Chair

  
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Steve Dellinger, Commissioner

  
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Jeff Cates - Vice Chair

  
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Steve Houchins-Member

Attest:   
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Stephen L. Rust, Surveyor

\_\_\_\_\_  
Chase Heinold - Member