

Henry County Drainage Board

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

Joel Magiera-Chair
Donald Cross-Vice Chair
Stephen L. Rust-Surveyor
Elizabeth A. Willey-Drainage Board Secretary

Ed Yanos-Commissioner
Paula Chapman-Member
Randy Maloyed-Member

The Henry County Drainage Board met Wednesday April 12, 2017 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: Don Cross, Vice Chair, Paula Chapman, Member, Randy Maloyed, Member, Ed Yanos, Commissioner, Elizabeth A. Willey, Drainage Board Secretary, Bruce Atkinson, GIS Administrator and Joe Copeland, County Engineer.

Joel Magiera was absent.

Public Presence: Sheldon Dyne, Pritchett Backhoe.

The meeting was called to order by Don Cross Vice Chairman.

The March 8th minutes were presented to the board. Ms. Chapman made the motion to approved the minutes as presented. The motion was seconded by Mr. Maloyed. Motion carried.

Mr. Cross presented to the board the following claims:

CLAIMS

Henry County Drainage Board

April 12, 2017

Drainage Maintenance Fund #2700					
#565	Thomas Kerr	Courier Times	#60831895	Legal Ad	\$10.72
#556	Walter Zirkle	Pritchett's Point	#638	Prop.#1615, #006-03313-00 Barricks	\$ 11,580.00
#572	Ed Heacock	Pritchett's Backhoe	#21718	Prop.#1615, #004-03504-00 Simerly	\$1,800.00
#558	Huber Martin	Dishman Farms	#286	Reinbursement to clean outlet #004-02615-00	\$1,240.00
#548	JH Thompson	Drainage Const.	#427 #395	Becker/Crum #008-00807-00	\$4,535.00 \$1,145.75
#539	Wm Ohara	Courier Times	#60833320	Legal Ad	\$21.17

April Totals					20,332.64
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General Improvement Fund #1158					
April Totals					

Mr. Yanos made the motion to approved the claims as presented. Ms. Chapman seconded the motion. Motion carried.

BROOKS DRIVE:

Colby King, representative for FPBH, approached the board with a request for a variance for the drainage pipe at Brooks Drive. Mr. King advised the board that after they reviewed the plan, the modifications would be a savings of approximately \$10,000.00. Mr. King advised the board there would be (1) 42” in diameter ADS pipe with 1 foot cover, running across the roadway (CR400S) to the detention pond and (1) 24” and (2) 36” ADS pipe running across Brooks Drive. Mr. King advised the board that bids would be presented to the Commissioners at their next scheduled meeting. Mr. Yanos made a motion to approve the substitution to the variance. Mr. Maloyed 2nd the motion. Motion carried.

Mr. Rust presented the board with a summary of the 2016 pipe/supply costs.

Mr. Rust approached the board, asking the board’s permission to discuss with the Henry County Treasurer and County Council for an annual allocation to the General Drainage Improvement Fund, which can be used for drainage issues and emergency situations, that are not in areas that fall within the county assessment watersheds. Mr. Rust also asked the board to support his efforts in attempting to build the drainage funds via investing a portion of the drainage fund to collect interest as per Indiana Code 36-9-27-113. Mr. Yanos made a motion to support Mr. Rust’s request and to draft a letter addressed to the County Council which would be presented to the Council at their next scheduled meeting. The motion was seconded by Mr. Maloyed. Motion carried.

#509 WM BROWN DRAIN:

Mr. Rust presented the board with water issues @ the Corner Stone Campground (previously known as Kenny Irwin Campground). Mr. Rust advised the board that the campground was in the upper end of the Flood Zone, which actually begins south of I70 and (3) tributaries come together at that location. Mr. Rust advised the board that there has always been water problems for many years and in his opinion there was no way to alleviate the problem. Mr. Rust advised the board that between 2005 and 2013 the county has already contributed approximately \$18,271.93 in repairs and maintenance and the water issues are continuous.

Mr. Jacobs, Planning Commissioner, approached the board with an invitation to an Open house on Wednesday, May 17, 2017 put on by the Henry County Comprehensive Planning team, which will enable the public to learn about the process, to voice opinions, ask questions and to meet the Henry County Comprehensive Planning team.

Mr. Yanos made the motion to recess the scheduled meeting and to proceed with the advertised #539 Wm OHara legal hearing.

#539 WM OHARA LEGAL HEARING:

The #539 Wm OHara Legal Hearing was called to order by Mr. Cross, Vice Chairman with the following members present: Don Cross, Randy Maloyed, Paula Chapman, Ed Yanos, Stephen Rust, Elizabeth Willey, Bruce Atkinson and Joe Copeland. Joel Magiera was absent.

Public Presence: Sheldon Dyne, Pritchett Backhoe.

The regulated court drain known as #539 Wm Ohara was established in 1908 as Cause #2402. The watershed is located in Jefferson and Prairie Townships and consists of approximately 4,338 feet of tiled drains, approximately 880 feet in Tributary #1 and approximately 1332 feet in Tributary #2. The current assessment rate is \$5.00 per acre with a \$10.00 minimum. Mr. Rust asked the board approval to re-establishment the assessment schedule and adjust the boundary lines. If approved the watershed would contain 66 parcels with a re-assessment of @ \$6.00 per acre and 20 minimum parcels @ \$25.00. The annual estimated income would be \$5,415.20. The current fund balance is \$24,785.51. There were 44 letters mailed to landowners on March 9, 2017. The legal advertisement was placed in the Courier Times on March 31, 2017. The surveyor's offices received two letters of objection: Peggy Scholl (landowner of parcels #011-02002-00 and #011-02009-00) and Kathy and Guy Craig (landowners of parcel # 008-02032-00). There were no landowners present to express their objection.

Mr. Yanos made the motion to approve the increased Drainage Assessment from the current \$5.00 per acre to \$6.00 per acre with a \$25.00 minimum and to adjust the watershed boundaries. Ms. Chapman 2nd the motion. Motion carried.

Mr. Cross made the motion to adjourn the hearing and to proceed with the regular scheduled drainage meeting.

#572 ED HEACOCK DRAIN:

Mr. Rust presented the board with a signed copy of the Hold Harmless Agreement for the Tri High School Project (#572 Ed Heacock Drain) and advised the board of the updates that were taking place.

#588 HH KENDALL DRAIN:

Mr. Rust brought the board up to date with the HH Kendall reconstruction.

#518 NATHAN FOSTER DRAIN:

Mr. Rust advised the board with updates on the Foster Landing/ Railroad application and reiterated to the board that the cost to review the application and plans would be approximately \$12,000.00 to \$13,000.00 with no guarantees for approval. The Nathan Foster Drain Fund does not have sufficient funds to pay for the application fee.

#524 CHESTER MERCER DRAIN:

Mr. Rust advised the board that he had received a request from Gerald Matney for repairs to a legal tiled drain in the #534 Chester Mercer Drain. Mr. Rust advised the board that as a follow up investigation, he found no documentation that the drain Mr. Matney is referring to is not a legal drain.

Mr. Rust reported the updates with the Utility Agreements and the complaints from REMC and advised the board that he and Mr. Copeland were still working with REMC and the county attorney to attempt to resolve any billing issues.

#520 FRANKLIN ELLIOTT DRAIN:

Mr. Rust discussed with the board the updates with the Pierce Parkway and that the board should review the possibility of converting a portion of the watershed to a new watershed with an Urban Drain assessment.

With no other business to come before the board and no public comments, Joel Magiera, Chairman, adjourned the meeting.

Dated this 12th day of April 2017.

Henry County Drainage Board

Joel Magiera-Chair

Donald Cross – Vice Chair

Ed Yanos – Commissioner

Paula Chapman-Member

Randy Maloyed – Member

Attest: _____
Elizabeth A. Willey, secretary