

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 May 10, 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: Joel Magiera, Chairman, 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.

Public Presence: Sheldon Dyne, Pritchett Backhoe. Darrin Jacobs, Planning Commissioner, JB Chapman and Kevin Steely and Jack Alvery from Banning Engineering.

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

The April 12, 2017 minutes were presented to the board. Mr. Cross made the motion to approve the minutes as presented. The motion was seconded by Mr. Yanos. Motion carried.

Mr. Magiera presented to the board the following claims:

CLAIMS

Henry County Drainage Board

May 10, 2017

Drainage Maintenance Fund #2700

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#539	Wm Ohara	Courier Times	#60843310	Legal Ad #2107-04		\$16.62
#513	Conner Cummings	Courier Times	#60843324	Legal Ad #2107-05		\$21.71
#538	Enoch Nation	Powell's Excavating	#712545	Proposal #1615 (002-00190-00) Sierra/Marlatt/Maxwell		\$14,000.00
#528	Sam Lamberson	Powell's Excavating	#713547	Investigative Dig (M. Lamberson)		\$883.00
#556	Walter Zirkle	Powell's Excavating	#712536	Proposal #1614 Hinkle/Milo/Smith (#003-02011-00)		\$500.00
#549	JJ Vance	Crossroad Excavating	#1038	Investigative Dig Kern (Beaver Damn removal) #011- 02837-00		\$550.00
#504	Guy Bolen	Crossroad Excavating	#1042	Investigative Dig Garnett (Beaver Damn removal) #006-01121-00		\$525.00
#501	Nelson Allen	Crossroad Excavating	#1045	Proposal #1611 Yockey (#001-02029-00)		\$4,800.00

#551	Veach Post	Pritchett's Point	#642	Proposal #1615 Harter (pipe sales)		\$78.00
#556	Walter Zirkle	Pritchett's Point	#643	Proposal #1614 Hinkle/Milo/Smith (pipe sales)		\$153.00
#562	Cary George Lamberson	Pritchett's Point	#644	Poposal #1702 Scholl (pipe sales)		\$207.60
#572	Ed Heacock	Pritchett's Point	#646	Poposal #1615 Simerly / Magiera (pipe sales)		\$1,377.00
#562	Cary George Lamberson	Pritchett's Point	#647	Proposal #1702 Shafer (pipe sales)	Dean	\$343.60
#512	Earl Coon	Pritchett's Point	#648	Proposal #1702 Freeman (pipe sales)		\$343.60
#553	Thomas Willis	Pritchett's Point	#649	Proposal #1702 Rivers (pipe sales)		\$207.60
#511	Wm Cook	Pritchett's Point	#650	Investigative Dig Allen (pipe sales)	Jean	\$153.00
#522	Mark Huffman	Pritchett's Point	#651	Proposal #1701 Conwell (pipes sales)		\$343.60
#520	Franklin Elliott	Pritchett's Point	#652	Proposal #1701 Gardner (pipe sales)		\$343.60
#522	Mark Huffman	Pritchett's Point	#655	Pipe Sale		\$4,053.00
#548	JH Thompson	Pritchett's Backhoe	#21702	Proposal #1607 (008-00835-00)	Cronk	\$425.33
#502	Catherine Beech	Pritchett's Backhoe	#21729	Reconstruction (final)		\$2,400.00
#518	Nathan Foster	Pritchett's Backhoe	#21742	Proposal #1702 w/ extra blow holes Kalia (#007-84209-00)		\$716.58
#572	Ed Heacock	Pritchett's Backhoe	#21758	Proposal #1615 Simerly /Magiera Phase #2 #004-03504-00		\$2,175.00
#548	JH Thompson	Pritchett's Backhoe	#21760	Investigative Dig Cronk/Chapman (600N)		\$322.75
#522	Mark Huffman	Pritchett's Backhoe	#21763	Investigative Dig w/ repairs Gard (#001-00801-00)		\$412.50
#509	Wm Brown	Pritchett's Backhoe	#21767	Pierce Parkway Project Drainage Board's portion		\$1,762.22
April Totals						\$37,114.31

General Improvement Fund #1158

#538	Enoch Nation	Powell's Excavating	#712545	Proposal #1615 (002-00190-00) Sierra/Marlatt/Maxwell		\$ 8,680.00
#506	Mary Brandon	Pritchett's Point	#654	Investigative Dig supplies		\$34.65
#506	Mary Brandon	Pritchett's Backhoe	#21761	Proposal #1613 w/ extra repairs Hazelbaker (#003-00514-00)		\$687.16
#506	Mary Brandon	Pritchett's Backhoe	#21790	pipe supplies (SR236 Morin)		\$ 157.50
April Totals						\$9,559.30

Mr. Yanos made the motion to approve the claims as presented. Mr. Maloyed seconded the motion. Motion carried.

IMPA Spiceland Solar Park:

Kevin Steely, engineer from Banning Engineering and Mr. Jack Alvery approached the board to discuss the Spiceland Solar Park project plans north of Spiceland, Indiana. Mr Yanos made the motion to approve the drainage plans as presented contingent upon the supervision of the county Surveyor and Engineer. Mr. Maloyed seconded the motion. Motion carried.

Mr. Yanos made the motion to recess the regular scheduled drainage board meeting to hear the advertised #513 Conner Cummings legal hearing. Motion was seconded by Ms. Chapman. Motion carried.

#513 Conner Cummings Legal Hearing:

The advertised #513 Conner Cummings Legal Hearing was called to order by Joel Mageria. Mr. Rust provided his maintenance periodic report to the board. There are 122 parcels being assessed with 66 minimum parcels. Mr. Rust reports that an annual estimated income for maintenance of such drain was approximately \$9,469.92. Mr. Rust reported to the board the Wm Conners legal drain was established in 1884 and later combined with the Andrew Cummings, indicating the main drain and (7) tributaries consists of 16,554. feet of open and tiled drain, with a current assessment of \$1.25 per acre and a \$5.00 minimum. This drain is located in Jefferson and Fall Creek Townships. Mr. Rust reported to the board the increase was for the purpose of maintenance and keeping the outlets free of debris.

Mr. Rust advised the board that legal advertisement and landowner mailings were done as per state statutes with no personal objections or written objections presented to the Surveyor's Office or the board within the statute time frame.

With no objections to the re-establishment of the watershed boundary and an increase of the assessment rate, Mr. Maloyed made the motion to approve the maintenance assessment request. Mr. Yanos seconded the motion. Motion carried.

Mr. Yanos made the motion to adjourn the legal hearing and to proceed with the regular scheduled drainage board meeting. Ms. Chapman 2nd the motion. Motion carried.

Mr. Mageria call the regular scheduled drainage board meeting back to order.

Henry County Council Request:

As per a motion made in the April 12, 2017 Drainage Board meeting, Mr. Rust provided a copy of the letter that was prepared and presented to the county council on May 24, 2017 requesting the council to contribute to the general drainage improvement fund annual allocations and interest that may be collected from the investments of a portion of the drainage maintenance fund. Mr. Rust advised the board that Council requested that he again re-submit the letter at budget time.

#518 Nathan Foster Drain:

Mr. Rust provided the board with the latest updates on the Nathan Foster (NS Railroad) Project and with the assistance of Mr. Francisco, negotiations and plans could be completed at a cost reduction.

Legislation Bill HB1450:

Mr. Rust provided the board with copies of the HB1450 bill that was recently passed by the Legislation. Mr. Rust explained to the board that sections (53, #54 and #55) applied to the construction and reconstruction bank loans.

#525 James Jones Legal Drain:

Mr. Rust and Mr. Atkinson, GIS administrator, briefed the board with the options available to them if a reconstruction project at the request of Mr. Underhill would occur on the #525 James Jones Legal Drain. Mr. Rust advised the board the fund was currently in debt to the General Drainage Improvement Fund and that the assessments would be increased considerably. Mr. Yanos, made a motion that it would be in the best interest of the board for the majority of the (benefitted acres) landowners to present to the board a petition with their signatures requesting the reconstruction and in favor of the increased assessment. The motion was seconded by Mr. Maloyed. Motion carried.

#551 Veach Post Legal Drain:

Mr. Rust presented the board with a written request for reimbursement from Rick Harter for damages sustained in the #551 Veach Post Legal county easement in the amount of \$2,067.17. After discussion amongst the board members, Mr. Yanos made the motion to approve reimbursement for pipe charges and the installation of the pipe. The board did not approve the deep till and finish work of end rows which lay within the county 75' easement and damages sustained to his tractor. The board, with the majority vote, called for the Surveyor to reimburse Mr. Harter for losses in the amount of \$410.00. Mr. Cross seconded Mr. Yanos' motion. Motion carried with Ms. Chapman abstaining.

#534 Chester Mercer Legal Drain:

The board was presented with an invoice for reimbursement in the amount of \$64.18 to Mr. Jerald Matney for supplies for weed control on the #534 Chester Mercer Legal Drain. Mr. Mageria made the motion to approve reimbursement. The motion was seconded by Ms. Chapman. Motion carried.

Mr. Yanos suggested to board members that a re-imbursement policy should be developed with guidelines on future reimbursements.

Pierce Parkway:

Mr. Rust provided board members with updates on the Pierce Parkway project.

Equipment/Training Request:

Mr. Rust approached the board with a request of possibly purchasing a drone that may be beneficial to the Surveyor's Office in the realm of his duties and the cost of training to obtain the state required license to operate the drone. Mr. Yanos suggested that Mr. Rust investigate the costs and requirements of ownership.

#570 George Lewis Legal Drain:

Mr. Rust presented to board members a classification and maintenance report for the #570 George Lewis watershed and requested a legal hearing for the re-establishment of the assessment and boundary lines of the watershed.

Baker Reconstruction:

Mr. JB Chapman brought to the board's attention that when the contractors were completing the Baker reconstruction that the contractor missed a couple laterals which need to be done. The board instructed Mr. Rust to make contact with Fred's Excavating to return to the site to complete the project.

#506 Mary Brandon Legal Drain:

Mr. JB Chapman approached the board for permission to make contact with INDOT to see if he could speed the process up with the water issues on SR236 in the Mary Brandon legal drain. Mr. Chapman expressed his concerns that the project has been ongoing since 2015.

Being no other business to come before the board and no additional public comments, Mr. Cross made the motion to adjourn the meeting. Motion carried.

Dated this 10th day of May 2017.

Henry County Drainage Board:

Joel Magiera-Chair

Donald Cross – Vice Chair

Ed Yanos – Commissioner

Paula Chapman-Member

Randy Maloyed – Member

Attest: _____
Stephen L. Rust, Surveyor