

**GRANT COUNTY DRAINAGE BOARD  
401 SOUTH ADAMS STREET  
MARION, INDIANA 46953**

The Grant County Drainage Board meeting was held August 8, 2017 in the Grant County Council Chambers. Mark Bardsley called the meeting to order at 11:03 a.m. Other members present were Gordon Gough, Kenny Cates, Richard Cox, Pat Pinkerton and Grant County Surveyor Jim Todd.

**APPROVAL OF MINUTES:**

Kenny Cates made a motion to approve the minutes from the July 25, 2017 meeting as presented; Seconded by Richard Cox. Motion carried 4-0 with Gordon Gough abstaining since he was not at the July 25<sup>th</sup> meeting.

**APPROVAL OF CLAIMS:**

Jim Todd reviewed the claims as follows:

Eads & Sons \$2,400.00 Bennington Tile; \$8,552.51 in the fund  
Eads & Sons \$2,212.50 Unthank Tile; \$8,397.16 in the fund  
Peerless Printing \$72.81 Office Supplies; \$253.22 in the fund  
Chronicle Tribune \$16.35 Wigger Drain; \$568.96 in the red  
Chronicle Tribune \$16.35 Knotes Branch; \$0.00 in the fund  
Chronicle Tribune \$18.49 Cleopas & Haines; \$0.00 in the fund  
Chronicle Tribune \$15.81 Keaton Ditch; \$5,826.98 in the fund  
Chronicle Tribune \$15.28 Poe Drain; \$1,233.88 in the red  
Chronicle Tribune \$15.81 Carey's Tile of Brushy Run; \$8,269.38 in the red

Richard Cox made a motion to pay the claims as presented. Seconded by Pat Pinkerton; motion carried, with support 5-0.

## **OLD BUSINESS:**

### Little Creek

There is nothing new to report.

### Little Crane Pond

Gordon Gough advised the Board that he and Mary Weesner met with attorney Kyle Persinger and provided all paperwork that was requested by Mr. Persinger to proceed.

### Trenching Ordinance

The Board is waiting for the updated ordinance.

### Big Deer Creek

Jim Todd informed the Board that he and Gordon Gough plan to go meet with the land owner in the near future. Gordon stated that he has already met with him but he wants to meet again with Jim Todd present.

### Pollywalk

There is nothing new to report.

## **NEW BUSINESS:**

### Crane Pond – Louis Herring – 2422 West 13st Street

Mr. Herring is present before the Board. Jim Todd informed the Board that he has been out to look at this project and has an aerial photo. Jim explained that they are requesting to tap in to the tile. Jim feels that this will benefit the neighborhood since it is a place for excess water. Pat Pinkerton asked Mr. Herring what will happen if the 6" drain from the pond gets plugged with leaves, where is the water going to end up. Mr. Herring answered that there will be a steel catch grate that the leaves can pass through. If it should overflow, it will go to the manhole that it always went to on the corner of 13<sup>th</sup> and Virginia. Jim Todd feels that it will have a lot of holding capacity. Jim asked that Mr. Herring contact Jim before the tap in so that he may inspect it. Jim

Todd recommends that the Board approve this request. Gordon Gough made a motion to allow Mr. Herring to tap into Crane Pond, at his own expense. Seconded by Richard Cox, motion carried with support 5-0.

Woods Ditch Jay Koontz 9513 W 100 N-27, Converse

Jay Koontz is present before the Board. Jim Todd informed the Board that Mr. Koontz wants to build an additional building behind one that already exists, showing the Board an aerial photo. Jim added that he has a variance from Area Plan Department to put this building close to the property line. There is the Woods Open Ditch that comes in the back of his property. Jim has looked at this. Mr. Koontz is requesting maybe 40' on the high ground. Mr. Koontz brought pictures to show the Board and reviewed his plan for the building. There is no current maintenance on the Woods Open Ditch. The corner of the building will be the narrowest part to the easement. Gordon Gough asked about the size of the building; Mr. Koontz stated that it will be 24x50 in size. Jim Todd recommends the Boards' approval. Kenny Cates asked Mr. Koontz if there was going to be a concrete floor, Mr. Koontz replied that he is not going to put concrete in it right now as it is just for storage. Gordon Gough stated that if we vacate the easement, we would just vacate it 4 or 5 feet for the corner of the structure. Gordon Gough made a motion to allow Mr. Koontz 4 or 5 feet with a 45 foot easement at the corner of the building, the rest of it will stay at 75 feet. Seconded by Pat Pinkerton, motion carried with support 5-0.

Pressler Ditch – Mic Roush 7824 N 200 W, Hartford City

Mr. Mic Roush is present before the Board regarding the banks of the Pressler Ditch. Mr. Roush stated that about 3 years ago the banks were pulled back because they were caved in. Over the last 2 springs the banks have caved in again. This spring there was actually water coming over 600 E by the intersection of 100 N. Mr. Roush feels that the banks need attention again. He added that maybe some rip rap would help. Mark Bardsley asked Jim Todd if he has been out to look at this; Jim replied that he has and he agrees that something definitely needs to happen out there. Kenny Cates asked if there is any money in the Pressler Ditch fund; Jim replied that we just raised this maintenance fund; it comes out of the Lugar Creek and tributaries. Jim added

that we still need to dredge about 4000 feet on the Thompson Ditch, which this request came in before Mr. Roush's. There is about \$78,700.00 in the fund. Jim Todd told Mr. Roush that we need to get some quotes for work to be done on the Pressler Ditch. Mark Bardsley stated that this erosion is in the road right of way and the Highway Department needs to be contacted as well.

Little Black & Hummel Creek – Myron Brankle 5450 E 550 N, Van Buren  
Jim Todd stated that he had talked with Mr. Brankle the other day regarding the amount of money that has been spent on Hummel Creek, Mary Weesner has provided that information. Mr. Brankle's other question was regarding Little Black Creek. Jim Todd stated that there was a reconstruction years ago, adding that it appears it was never certified and is now in the red over \$80,000.00. Jim stated that when Darren Bates performed the work for the Auditor's office, it was then discovered that it had indeed not been certified. We had taken the maintenance money that was in Little Black Creek and paid towards the arrears per Mr. Bates recommendation, adding that this fund is still over \$81,000.00 in the red. Jim Todd informed the Board that Little Black Creek is scheduled for a public hearing to generate the funds to repay the negative balance for work that was done. Jim stated that one of Mr. Brankle's questions was that he felt some operation money should have been left in the fund since he wants to spray it. Jim noted that the spring collection that was transferred to the debt of Little Black Creek still would not have been enough to cover the cost of spraying. Jim added that we have transferred monies in a lot of ditches that were in the red. Mr. Brankle asked Mark Bardsley why back in June of 2016 there was \$105,000.00 that was added to this account as a debt with no one knowing about it and no meetings. Mr. Brankle stated that they thought they had \$23,000.00 in their account, Mr. Brankle stated they met with Roger Bainbridge and Darren Bates. Mr. Brankle stated that he was told that Mr. Bates was hired by Jim Todd to go through the ditch books and look for money; Jim Todd informed Mr. Brankle that Mr. Bates was hired through the Auditor's office, not the Surveyor's office. Mr. Brankle said that Mr. Bates had found accounts that had not been charged to land owners years back. He added that this goes back to the Surveyor's office not doing their job. He said that now that this has been found, Jim is asking for land owners

to pay for mistakes. Jim Todd asked Mr. Brankle if he remembers when Enyeart dug out the ditch; Mr. Brankle stated that he remembers. Jim explained that over the years the Drainage Board has changed hands and that it did slip by him. But, Jim added, at the time they were doing about \$1,000,000.00 worth of work. Jim Todd suggested talking to the Drainage Board attorney to see if this could be certified as a reconstruction and not take it out of maintenance, but have a reconstruction collection as it was originally intended. Jim added that the contract deputy for this reconstruction has lost his surveying license and the Board never got a certified copy to bill. Mr. Brankle again stated that this is a mistake by the Surveyors office and not the land owners. He added that he is not willing to pay for the Surveyor's mistakes. Richard Cox stated that Mr. Brankle knew the work was done and that he did not get a bill, but he did not come in to inform anyone that he did not get a bill. Mr. Brankle stated that he did not own any property then.

*[Note...attached to these minutes in the Drainage Board office are copies of letters from Mr. Brankle requesting the work to be done].*

Mark Bardsley stated that Darren Bates went back, per request of the State Board of Accounts to make sure we were right on. With the State Board of Accounts instruction, Mr. Bates had to go back to 1977 and bring every ditch up to date. Mark added that the State Board of Accounts is requiring the Drainage Board to raise the money. Mr. Brankle stated that he understands that, but he did not own any farm ground then. Mr. Brankle added that they have projects that they need to do on this ditch and the Drainage Board zeroed out their money. Jim Todd informed Mr. Brankle that he had property on Little Black Creek when it was dredged; Mr. Brankle then stated he only had maybe 50 acres. Mr. Brankle requested that Jim Todd research the public hearing. He wanted to know why they took the spring collection without letting him know. Richard Cox informed him that is what the State Board of Accounts instructed the Board to do. Mr. Brankle asked Richard again why he wasn't informed and asked Richard if he would have liked that to happen to him. Mark Bardsley told Mr. Brankle that we are going through the public hearing to inform the public, it's not like the Board is saying "Boom here it is". Mark added that we have to go through the process of a public hearing to inform the land owners and come to some kind of decision on how to proceed. Mr. Brankle disagreed with Mark Bardsley stating "Boom, July 2016

you have \$105,000.00 debt" adding that in July 2017 he could not get a little bit of money to do maintenance because he finds out that there is \$105,000.00 worth of debt that they did not know was there. Mark Bardsley replied by stating that until the books were checked and rectified, the Board did not know either. Mr. Brankle stated that is the fault of the Surveyor's office. Richard Cox added that it is also the fault of the land owner because you knew the work was done back then and knew you never received a bill. Mr. Brankle said to Richard Cox "You can defend the Surveyor all you want; it all goes back to the fault of the Surveyor's office. The Surveyor did not fulfill the duties that he was elected for and we are paying him to do". Jim Todd responded by stating that the only thing that Drainage Board and himself did not do was to certify this for collection. Jim added by stating that there was a public hearing, they bid the job and the job was dug out, but we failed to certify it to the Auditor for collection. Mr. Brankle asked Jim if it was his responsibility to check back with Jim to make sure he certified the rate. Richard Cox asked Mr. Brankle "If you don't get a tax bill, it is your responsibility, isn't it"? Mr. Brankle stated that they have been paying their tax bills. Richard stated that this one just slipped through the cracks and now we have to fix it. Gordon Gough intervened stating that he is on Big Deer Creek and he fought with the County Treasurer; this was certified and they could not get her to bill it. He went to the Treasurer office to get this done. He knew they had the work done and knew that they had a bill coming that needed to be paid. Mr. Brankle then stated that he should not have to micro-manage the Surveyor office to find out if he certified it and sent out a bill. Mark Bardsley agreed that the Surveyor office does not need to be micro-managed. Mark again explained to Mr. Brankle that the Drainage Board was confronted by the State Board of Accounts stating that the Drainage Board has to rectify the books. Once this was discovered, we had to do what we were instructed to do, we have to work together to pay the bill. Mr. Brankle informed Mark Bardsley that Darren Bates told him that he should ask the Drainage Board to "wipe it off" because they wiped a lot of them off. Mark Bardsley told Mr. Brankle that the same guy that told him we would wipe some off is the same guy that told the Drainage Board to charge the land owners. Jim Todd stated that maybe we need to find these documents and talk to the Drainage Board attorney to certify this as a reconstruction like it should be and then the land owners will

have five years to pay this cost back, along with the normal maintenance billing as well. Then, Jim added, their maintenance money would be usable. Jim Todd stated that he did drop the ball on this one, but it would have been nice if one of the land owners would have called and asked about the assessment for the reconstruction. Mr. Brankle stated that he would start reading all of the minutes from now on to make sure that the Drainage Board is doing their job. Richard Cox told Mr. Brankle that he should read the minutes. Mr. Brankle then asked the Board what they were thinking when they took the spring collection; Richard Cox answered stating that the State Board of Account said to. Mr. Brankle asked if they would not have any money until this debt is paid off; Richard told him that he is correct, per State Board of Accounts. Mr. Brankle said that the least the Board could do would be to put money in the fund so that they can do maintenance. Richard Cox told Mr. Brankle that if he came in with a project that needed done and could be done reasonably, there is money in the General Drain Improvement Fund that can be used, if asked to be, to do projects like that. Mr. Brankle stated that he needs sprayed because he has cat tails on Little Black Creek. Jim Todd did inform Mr. Brankle that this will just put the Maintenance fund farther in the red. Richard Cox agreed adding that money would need to be paid back as well. Mr. Brankle said that the farmers on Little Black Creek have been paying their ditch assessments throughout the years to use the money on the drain. Mark Bardsley again explained that this is what the State Board of Accounts have instructed the Drainage Board to do; they require that if there is a negative balance, they have to bring it back up to zero or in the black. Mr. Brankle stated that the State Board of Accounts, according to Darren Bates, the mistake is from the Surveyors office. Richard Cox agreed it was a mistake done at the Surveyors office. Mr. Brankle said that now this has to be paid by all the land owners that didn't own land. Jim Todd informed Mr. Brankle that he did farm land at the time. Mark Bardsley told Mr. Brankle that the Board will be glad to do some more research on this. Mr. Brankle spoke to Jim Todd saying that Jim told him they were going to have a public hearing regarding a possible \$10.00 per acre; Mr. Brankle told him not to have a public hearing in October, it is the middle of harvest. Mr. Brankle wants the hearing in the winter or spring. Richard Cox showed Mr. Brankle the list of public hearings scheduled; Mr. Brankle told Richard he does not care about that. Mark Bardsley informed

Mr. Brankle that the ditches that they are having hearings on are in the red. Mr. Brankle asked the Board if Jim Todd is bonded for a malpractice suit; Jim Todd informed Mr. Brankle that he is indeed bonded. Mr. Brankle stated that this should be a malpractice suit. Jim added that there are a lot of people involved, not just him. Mr. Brankle said that the "Buck stops at the Surveyors office". Mark Bardsley thanked Mr. Brankle for bringing all this to the Board's attention and that he will meet with Mr. Bates to come up with some more answers.

## **OTHER BUSINESS:**

### Cleopas Haines – Public Hearing

Jim Todd informed the public that he has researched both the Haines and the Cleopas tiles. The Haines Ditch has had some extensive work done on it in 1959. Then in 1963, Jason Haines the county Surveyor, put in the Cleopas Ditch which drains the majority of town. Jim stated that he has read all of the objections and he understands a lot of their complaints about this being excessive. There are 87 acres involved that benefit, bringing in an annual \$11,000.00. There are 65 home sites. We received 18 objections with home sites and the acreage that objected is 8.935. Jim Todd stated that tile doesn't usually break down that bad and after reading the objections, he would like to recommend a \$25.00 per home site rather than \$150.00, and a \$10.00 per acre with a \$10.00 minimum. Jim explained that the 8 year collection is something new that the Indiana Drainage code has started a few years ago, but it could be a 4 year collection. Jim realizes that the higher rate could be a hardship for most of the people on the Cleopas & Haines. Jim Todd added that the grainery is rated differently due to higher amount of run off with the roofs and etc., having a \$100.00 minimum per parcels.

\*Mark Bardsley opened the floor for the public discussion

Nancy Dooley - 108 West Taylor Street, Sims

Mrs. Dooley asked the Board if it is going to collect for 8 years; Mark Bardsley told her that it could be reduced. Jim Todd agreed with Mark stating that the 8 year collection limit can be reduced four years, meaning that when the ditch fund reaches a 4 year or 8 year (whatever it is set at) limit, the collection will shut off. If the funds are used, the ditch will collect until the limit is reached. Mrs. Dooley asked if after 3 years or so, the Board is going to raise the rate; Richard Cox told her that can only happen with another public hearing, the Board cannot raise rates without a hearing. Mrs. Dooley stated that she does not have a problem with standing water in her yard, but there are 2 or 3 other houses that are in jeopardy because of the grain elevator. Mrs. Dooley wants to know what has brought this up now; Kenny Cates told her that they had to call the county highway department to bring a jet for a tile repair in an alley. Kenny added that he does not agree with Jim Todd with the \$25.00 home site assessment. This tile has a habit of breaking down and this farmer has paid for the repairs out of his own pocket that should have been out of the ditch fund. Mrs. Dooley stated that she does not mind having a ditch fund, but they never had a fee now all the sudden there is this, a \$150.00 home site. Richard Cox agreed that it is an excessive fee, but it got her attention. Richard added now the Board can hear her input. Richard explained that they can lower the rate, but they cannot raise it. Mrs. Dooley asked that they please lower the rate. Richard Cox asked her what rate she would be happy with, she replied that she is ok with the \$25.00 per home site.

Janet Martin - 205 East Hobart Street, Sims

Mrs. Martin is before the Board stating that she is not draining properly due to root balls and the Highway Department's equipment was not long enough to reach them. Jim Todd responded saying that the trees that are causing the problem in the easement needs cut down, the roots dug up and then fix it with new tile. Jim Todd explained that there is a lot of tap-ins coming into the county tile, they will maintain the county line from the maintenance fund, but the lines going into the county line will be the land owner's responsibility. She stated that she has standing water that comes from the grain elevator and collects in her front yard; she cannot even walk out to her front yard, at times, it is all the way up to her front porch. Jim Todd stated that with the home

sites at \$25.00, that would bring in about \$1,625.00 per year, that would not go really far when they have to start digging this up. Kenny Cates stated that about 1/2 mile or better of at least 24", it would take about \$50,000.00 to work on that. Kenny asked the people if they would rather pay \$100.00 or \$150.00 per year or a \$2,000.00 reconstruction assessment. The simplest way is to pay into this fund, that way they have money to work with. If there is a major problem they would have the money available. Barry Keys has repaired a tile by the church several times, eventually this will need replaced. Kenny Cates informed Mrs. Martin that in an alley about a block south of the elevator, they had to get the county highway department to come out there and run their sewer jet through there, they are supposed to send the Drainage Board a bill for that, but there is no money in the Cleopas & Haines fund. Kenny added that somehow they need to have a maintenance fund there whether they like it or not. Kenny Cates bets that 1/2 of Sims does not have a leach field. Mrs. Martin stated that she does have a leach field but it does not go into any pipes. Richard Cox stated that it does, it goes into the ground and then into the tile. Jim Todd added that there needs to be a perimeter drain around the leach field to help drain the leach field. Mark Bardsley asked Mrs. Martin what she felt was a reasonable amount for a home site on this assessment; she stated she would prefer \$25.00 instead of the \$150.00.

Rena Aslinger – 213 East Hobart Street, Sims

Ms. Aslinger is present before the Board regarding water on her property; she stated that she does not have a drain on her property. Jim Todd stated that the maintenance fund could put a branch drain in to better accommodate this water. Jim explained that what this water is doing is running back east, south and then back west. Ms. Aslinger showed the Board pictures. Mark Bardsley asked Mrs. Aslinger what she felt would be a fair rate; she stated that drainage is priceless to her, [inaudible]. Mark stated that there obviously is a drainage problem, Gordon Gough agreed but added that now we have to fix it with the land owners money. Kenny Cates added that is going to take some money to fix their drainage problem.

Teresa Mendoza – 105 W. Howard Street, Sims

Mrs. Mendoza approached the Board stating that she does not have a drainage problem; she has been there for over 20 years. Mrs. Mendoza does agree that there needs to be money in a maintenance fund if something should happen. But, Mrs. Mendoza continued, the amount is excessive. She added that she is paying \$200.00 for her property tax which include street maintenance, security etc. but \$150.00 for drainage alone is excessive. She stated that she would be willing to pay \$50.00. Gordon Gough asked Mrs. Mendoza "what happens if you cannot flush your stool or get rid of your bath water, how much is it worth to get rid of that"? Mrs. Mendoza replied that she assumed it was her responsibility as a homeowner; Gordon told her that they need to keep the tile up to get rid of it. Richard Cox added that if the tile does not work, there is nothing she can do to fix it. She added that she is willing to pay a ditch tax but feels that \$150.00 is too excessive. Kenny Cates stated that there are a lot of roots in the drain. Mrs. Mendoza informed the Board that she is a county employee and has not had a raise in several years. This is a definite hardship. Kenny Cates explained that this money goes into this ditch and is not used anywhere except this ditch; Mrs. Mendoza understands and stated that this is something they should have started years ago; they would have had a fund built up by now.

Frank Dooley – 108 West Taylor Street, Sims

Mr. Dooley stated that this has been an educational meeting for him since he did not understand how this works. He thought that drain maintenance was included in the many other repairs like the street in his property taxes. Mark Bardsley informed him that drain maintenance has its own collection. He too, feels that \$150.00 is too high, Mark asked him where he felt we should be with a number, Mr. Dooley said that he has a backhoe and understands that they don't run for free, but \$150.00 is excessive. Kenny Cates added that it costs hundreds of dollars just to do a tile repair.

Nancy Dooley – 108 West Taylor Street, Sims

Mrs. Dooley reproached the Board asking how does the Board prioritize what jobs are done first; Jim Todd informed her that when you have a problem, you call the surveyors office or the Drainage Board secretary and someone will

come and look at it. If the request is too high, you must come before the Board so that they may vote on the expenditure. Richard Cox stated that it is first come, first serve. She asked how this is paid; she was told that it will be on her property tax bill, it is listed individually. Gordon Gough added that at \$100.00 per home site and \$10.00 per acre will only bring in \$7,370.00 per year; Richard Cox added that at \$25.00 per home site it will bring in only \$2,800.00 year and that is not enough to do anything with.

John Boucher – 212 W. Howard Street, Sims

Mr. Boucher does not understand why he has to pay into the Haines ditch when it does not do him one bit of good. Jim Todd informed him that the Haines Ditch was put in years ago and in 1959 they did extensive repair work. The Haines comes up and goes into the east part of town. The Cleopas was built in 1963 and covers the entire town. Mr. Boucher intervened and stated that he is lot #8 along the railroad tracks and he showed a map to the Board that he has that does not have lot #8 on it. He has been there since 1946. Jim Todd feels that this needs to be a combined collection that will fix all in the drainage in the town. Mr. Boucher doesn't mind paying on the Cleopas and does not want to pay on the Haines. Jim Todd stated that when they worked on the Haines they put in 232' of 14", 180' of 12" and 72' of 10" tile. They also augured and cleaned 902' of 12", 800' of 10" and 900' of 8" for a total cost of \$1,938.00. Cleopas and the Haines tap into each other; Jim does not know which is deeper. Mr. Boucher is upset and wants the Haines and the Cleopas separated and does not want to pay on the Haines. Kenny Cates informed Mr. Boucher that the men had pitched in \$250.00-260.00 per acre on this project. Mr. Boucher agreed to \$25.00 or \$50.00 assessment.

Elizabeth Rademaker – No address given

Ms. Rademaker asked the Board what a reasonable amount is for her to pay. She is against the assessment since she does not have a problem. Richard Cox stated that her neighbor has a problem though. Kenny Cates responded that \$150.00 over an 8 year collection would bring in about \$80,000.00. If they had to dig up the street to replace the tile, there are fiber optic cables and gas lines; it takes money to do this. Ms. Rademaker asked how they can guarantee that their money will be there when it is needed, adding that the \$150.00 is

excessive. Mark Bardsley responded that we have been on this process for the last year and a half of putting things right. It has been tough processes finding out certain ditches are in the hole. Mark stated "what is reasonable? Kenny thinks \$150.00 is reasonable, I am not there". Mark added that he likes \$50.00 at least, but it won't put much money there if they have a problem and need to start digging.

Dave Bettegnies – 110 Main Street, Sims

Mr. Bettegnies is before the Board. He wanted to clarify that Mr. Boucher talked about an 8" tile that wasn't there, it is there, Mr. Bettegnies stated that he had fixed it at least a half dozen times or so. He added that in the spring the problem was tree roots in a 12" line that ran along the street. Once they jetted that line, it worked better. Gordon Gough asked Mr. Bettegnies how the town of Sims not being forced to put in a septic system for the whole town; Mr. Bettegnies stated that they had talked about it 15 or 20 years ago, never heard any more about it. Mr. Boucher stood up and added that they had talked about running sewer lines to Swayzee and Sims many years ago but it would have been \$6,000,000.00. Mr. Bettegnies stated that he has no problem paying his share.

\*Mark Bardsley closed the public portion of the hearing\*

Gordon Gough asked a land owner if they paid the bill for their problem this spring; he replied that he ran his own backhoe but the county used their sewer jet. Kenny Cates said that they spent \$2,000.00 on this project out of no money; next it will need it in the street that cost \$150.00 – \$200.00 per hour for sewer jetter. Gordon added that if they can't take a shower or flush their stool, they won't be able to live in those houses. Jim Todd added that there are a lot of trees in the easement that needed cut down. Mark Bardsley asked the Board what they think; Richard Cox stated that he feels \$25.00; Kenny Cates stated that \$25.00 won't do anything if they have a problem. Kenny Cates added that he will not go less than \$100.00. Ricard added that his vote is for what the people want and the majority of the people want \$25.00. Mark Bardsley suggested \$50.00 for the home site, \$10.00 minimum and \$10 per acre with \$100.00 per parcel on the grainery.

Kenny Cates made a motion for \$100.00 per home site, \$10.00 per acre, \$10.00 minimum with \$100.00 on the grainery for an eight year collection. Seconded by Gordon Gough.

The public began to speak out against the \$100.00 rate.

Someone recommended \$50.00 home site and see what happens, it is better than nothing.

Pat Pinkerton stated that he has not heard anyone in the water shed that wants \$150.00 per home site and it is their tile. He is more in favor of the \$25.00 or the \$50.00 that is the range is hearing from the public. Pat added that even though it won't be enough to fix any major problems, it is a start.

Richard Cox spoke up and stated that he is there for the people and when the vote comes up for \$100.00, he is going to vote no and then make a motion for \$50.00, because that is what they want.

Gordon Gough withdrew his second, Kenny Cates withdrew his motion.

Richard Cox made a motion to set \$50.00 per home site, \$10.00 per acre, \$10.00 minimum and grainery will pay \$100.00 per parcel for a four year collection. Seconded by Pat Pinkerton, motion carried with support Gordon Gough requested an individual vote, it is as follows:

Kenny Cates – Abstain

Pat Pinkerton – Aye

Richard Cox – Aye

Gordon Gough – Aye, Under protest

Mark Bardsley – He votes only under a tie.

### Fadley & Owl – Bid Letting

Brad Rayl of Rayl Surveying & Engineering is present to open the bids.

Division A is work that is exclusive of State right-of-way

Division B is work that is in State right-of-way

This will be awarded as one bid to one contractor.

*The bids read as follows:*

REDMAN EXCAVATING

|        |                               |
|--------|-------------------------------|
| Div. A | \$264,575.00                  |
| Div. B | \$120,425.00 – Open Cut Price |
| Total  | \$385,000.00                  |

- Did not provide an alternate bid for the bore

SULLIVAN EXCAVATING

|        |                               |
|--------|-------------------------------|
| Div. A | \$266,518.48                  |
| Div. B | \$ 86,091.53 – Open Cut Price |
| Total  | \$352,610.00                  |

|        |                           |
|--------|---------------------------|
| Div. A | \$266,518.48              |
| Div. B | \$105,375.40 – Bore Price |
| Total  | \$371,893.88              |

CLARK FARM DRAINAGE

|        |                               |
|--------|-------------------------------|
| Div. A | \$310,807.50                  |
| Div. B | \$108,651.75 – Open Cut Price |
| Total  | \$419,459.25                  |

|        |                           |
|--------|---------------------------|
| Div. A | \$310,807.50              |
| Div. B | \$ 61,500.00 – Bore Price |
| Total  | \$372,307.50              |

Mr. Rayl explained that the reason he asked for quotes for the alternate (boring) is because it is not a difficult bore with shallow bore pits and dewatering should not be a major issue because the tile will be in place before any watering. Mr. Rayl added that a lot of the cost for the open cut is in the detour of traffic for that period of time. The State of Indiana will determine if it should be done as a cut or a bore. Mr. Rayl said that the bids may be taken under advisement until we hear from the State regarding permitting. Kenny Cates informed Mr. Rayl that the gentleman that he has been in contact with is

in the process of retiring. Kenny will contact a different person regarding the permitting. Mr. Rayl informed Kenny Cates that this quote is for getting across the school drive, this is not all the way. Kenny asked if it would be going east past the ball diamond; Mr. Rayl stated that it was not going that far. Jim Todd added that he thought it was going to the east property line. Mr. Rayl explained that this is only going to the north of the school drive, not the east property line. Jim Todd added that this is short then, Kenny stated now the numbers are going to be off. Mr. Rayl stated that this bidding will need to be redone. There was a misunderstanding what distance to the end. Mr. Rayl feels that the Board can continue with the hearing for the Fadley & Owl. A contractor stood up and stated that two weeks is not enough time to efficiently put together a solid bid. Mr. Rayl will come up with numbers to use per acre for a public hearing. Richard Cox asked Mr. Rayl whether or not we accept these bids and add another phase? Mr. Rayl stated that he would not recommend that. Richard asked Mr. Rayl if they should discard these bids, Mr. Rayl said yes. He feels that "School Drive" probably was the confusion in the ending point. Adding that they will have to bore about 75' and boring was cheaper than cutting. Redman Excavating stated that if they were Sullivan's with the lowest bid and now they are going to rebid, everyone knows what their number is. This will be taken under advisement until the August 29, 2017 meeting. Also, INDOT needs to make contact regarding the permitting. Mark Bardsley asked the Board to vote on taking the bids under advisement until the next meeting, all were in favor to take these bids under advisement.

**ADJOURN:**

Kenny Cates made a motion to adjourn at 1:37 p.m.; Seconded by Gordon Gough; motion carried with support 5-0.

The next scheduled meeting to be held is August 29, 2017 at 11:00 am

Minutes recorded by Mary R. Weesner

**MINUTES APPROVED:**

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**MARK BARDSLEY**

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**GORDON GOUGH**

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**RICHARD COX**

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**KENNY CATES**

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**PAT PINKERTON**