

PULASKI COUNTY DRAINAGE BOARD
WUETHRICH/LOWRY HEARING
MARCH 4, 2015

The Pulaski County Drainage Board met in special session on Wednesday, March 4, 2015 at 9:00 a.m. in the Commissioners Room, third floor, Courthouse, Winamac, IN.

PRESENT

Larry Brady, Bud Krohn Jr, Terry Young, Jenny Keller, Susan Thomas, Terry Ruff, Tim Murray Drainage Board Attorney. Scott Wuethrich, Richard Lowry, Martha Lowry, Charles Eide and Michael Hartman of Gutwein Law.

OPENING

Larry: Open up our Wuethrich/Lowry Drainage Board Hearing at 9:04 a.m. in the Commissioners Room, third floor of the Pulaski County Courthouse.

After much discussion by both parties involved, the attorneys and the Drainage Board, the following was the findings of the Board on issue #2 and then issue #1.

Issue #2

Larry: I will entertain this as a motion. Pulaski County will shoot the grade east of the drain to completely restore the natural surface water course of the Lowry property. All parties will be notified via certified mail and/or phone notification of the dates and times of any matters to be taken at the location. So everyone will be notified. Allocations of expenses: The law states Mr. Lowry would absorb all costs. However, in this instance, the County will absorb 50% of the costs. The remaining 50% will be divided equally. 25% for each party with final oversight will lie in the hands of Pulaski County and its agencies.

Terry: That motion so moved.

ISSUE #1

Larry: This is a continuance of our previous hearing. I will entertain the motion. In agreement of the decision of Judge Shurn of January 8, 2015, the natural surface water course will be restored. It will be completed by Pulaski County entities under the final supervision of the Commissioners. All parties will be notified as a courtesy, via certified mail and/or phone of when actions are going to be taken place of the road, working with the road side ditch. Final costs will be assessed to the Richard E. Lowry and Martha L. Lowry, Trustees of the Richard and Martha Lowry revocable living trust. Location of the replacement of the road side ditch will be of the following: East of the Charles Eide property to county road 1150 west, and east of the county road 1150 west to the Hackett catch basin. The replacement cost of the 1150 drain will be absorbed by the County. That is my motion.

Terry: I'll second that motion.

Larry: I have a motion and a second. Motion carried. I'll entertain a motion to adjourn our hearing.

Terry: So moved.

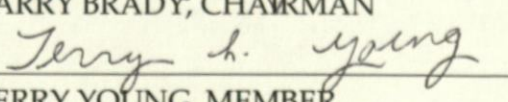
Bud: Second

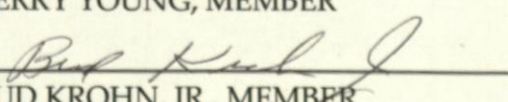
Larry: We have a motion and a second. Motion carried. Meeting adjourned at 11:37 a.m.

The transcript consisted of 18 pages and therefore can be found in the a folder under Wuethrich/Lowry, issue #1 and issue #2, dated 3-4-2015

PULASKI COUNTY DRAINAGE BOARD


LARRY BRADY, CHAIRMAN


TERRY YOUNG, MEMBER


BUD KROHN, JR., MEMBER

SUSAN THOMAS
Drainage Board Secretary