

**PULASKI COUNTY DRAINAGE BOARD
APRIL 20, 2015**

MUD CREEK/SMALL TILE HEARING

The Pulaski County Drainage Board held a hearing on the Mud Creek/Small Tile project. The hearing was called to order by Terry Young at 3:10 p.m. in the Commissioner's Room, third floor of the Pulaski County Courthouse. Present was Bud Krohn Jr, Terry Young, Tim Murray, attorney, Jenny Keller and Susan Thomas.

Also present was John Miller, Steve Miller, Kent Schultz, Mary Schultz, Wilbur Martindale, Erlinda Martindale, Lacy Minix, Keith Scheffer, Stephen Long, Jon Simmermaker, David Long, William Lewis, Kelly Field, John Simmermaker, Al Newman, David Browning, Ron Bucks, Russell Millbranth, William Haselby, Cheyenne Riker, Richard, Lowry, Douglas Moyer, Joy Cripe, Dolores Dennis and David Zahrt.

Jenny: We had announced earlier, since Larry is not here and our engineer is not here that, Tim pointed out, that more than likely we would probably table this anyway and it probably would be a good idea to postpone it to another day.

Tim Murray: I think that the two people that are gone are going to want to hear the public comments too.

Terry: I will entertain a motion to table it, reschedule.

Jenny: Our next May Drainage Board meeting, Jeff still won't be able to attend that. So do you want to do it on Monday, May 11, 2015?

Terry: We can do that.

Jenny: What time?

Bud: 3:30. I make a motion that we table this because of our engineer and one Board member being missing so we can do it May 11, 2105 at 3:30 p.m.

Terry: I second the motion. We have a motion and second. Motion carried.

Tim: I just want to make sure everyone understands. This is your notice that this hearing on this issue of the Small Tile is going to be set over to May 11, 2015 at 3:30 p.m. You will not be receiving any other notices in the mail, by telephone or any other communication.

Terry: I will entertain a motion to adjourn the public hearing.

Bud: I want to adjourn the public hearing.

Terry: Second. I have a motion and a second to adjourn the public hearing on the Small Tile. Motion carried. Adjourned at 3:12 p.m.

PULASKI COUNTY DRAINAGE BOARD MEETING
APRIL 20, 2015

The Pulaski County Drainage Board meeting met on April 20, 2015. The meeting was called to order by Terry Young at 3:13 p.m. in the Commissioner's Room, third floor of the Pulaski County Courthouse. Present was Terry Young, Bud Krohn Jr, Tim Murray, attorney, Jenny Keller, Susan Thomas, Kendra Craft, Terry Ruff, Scott Wuethrich and Marion Kasten.

COUNTY HIGHWAY DEPARTMENT

Jenny: The first thing was with the County Highway wanting to know how to bill that Wuethrich/Lowry issue.

Kendra: I made them to the Drainage Board. The Drainage Board is the one who requested us to do the work.

Terry: We can address this tonight at the Commissioner meeting and let the Auditor in on it so everybody's on the same page.

WUETHRICH/LOWRY

Jenny: I received pictures. That's the roadside ditch and then issue #2. You guys went out and viewed that today, is that right?

Terry Ruff: Gary Kruger went out this afternoon. I didn't get a chance to talk to him since he got back.

Jenny: Can we set this up as like contempt?

Tim: My position on this with the Board is this. That if the Board makes a decision, and basically issues an order as on how things are going to be and if somebody violates that order in any way, I think we need to follow what is called a Rule to Show Cause or a Contempt Citation against Dick Lowry. We believe he's the one that did it. And have him come to a hearing and answer as to why we believe he's the one that backfilled this a little bit and there are tracks and it looks like it

was all on his ground. Not only in this case but I think in all matters from this point forward, if somebody snubs their nose or violates any kind of decision or order that the Board makes, I think that should be the proper procedure. I think we would need to send him a notice of a contempt issue and I'll prepare that. Set it for a hearing and have him come and answer to that. If he says he doesn't know what happened, then we look at the evidence and we decide what's going on. And who's going to be assessed cleaning that back up.

Scott: The pictures were actually taken Sunday afternoon. 4-18-2015.

Terry: I'll entertain a motion to send Mr. Lowry a Contempt Citation notice.

Bud: I make the motion to have Tim Murray write up a paper on contempt and give it to Jenny so we can send it to Mr. Lowry.

Terry: Second the motion. Motion and second. Motion carried.

OTHER BUSINESS

Marion: There were flags out there on the Stone Dilts Ditch. Are we going to get it cleaned before it gets planted?

Bud: So how many feet you roughly need cleaned Marion?

Marion: ¼ mile here and ¼ mile there, a half mile.

Bud: Do we have any money in that fund?

Jenny: Should have about \$10,000.00 in it. So you want it cleaned on the west side of 35, starting there going towards 350 and then up through your, along 350 on yours?

Marion: Yes. I want to get that culvert changed before it falls in.

Jenny: Who's putting your culverts in then? You guys?

Marion: I will get a contractor.

Jenny: I'll just call DeSabatines and see if they can get out there and get it done.

Bud: I make a motion that we have Jenny contact DeSabatines for re-cleaning that ditch.

Terry: I'll second. Mr. Krohn made the motion. Motion and a second. Motion carried.

CLAIMS

Jenny: On the claims, the one for Hizer, I know we're to pay him his fees and we have that new fund in place now, but these two here, that are highlighted, I believe are regular drainage board days so I didn't know how you wanted to handle that.

Terry: I'll entertain a motion to pay claims as presented with the letter N to Alan Hizer for \$3937.50 as one exception. To pay that set amount.

Bud: I will make that motion.

Terry: Second. We have a motion and a second to pay claims as presented. Motion passed.

CLAIMS April 20, 2015 DRAINAGE BOARD MEETING				
	AMOUNT	PAYEE	APPROP #	APPROP NAME
A.	\$ 65.13	Petty Cash	063-2000-05	Petty Cash
B.	3,800.00	Gutwein Bulldozing	5000-01	GDM
C.	2,375.00	Loehmer Ag Products	5000-01	GDM
D.	5,400.00	Gutwein Bulldozing	5000-01	GDM
E.	13,500.46	Weaver/Fox Bros Excavating	5000-01	GDM
F.	28,800.00	Weaver/Fox Bros Excavating	5000-01	GDM
G.	16,581.60	Gutwein Bulldozing	5000-01	GDM
H.	2,400.00	DeSabatine Bros.	5000-01	GDM
I.	6,416.00	DeSabatine Bros.	5000-01	GDM
J.	2,430.00	DeSabatine Bros.	5000-01	GDM
K.	1,950.00	Banning Engineering	5000-01	GDM
L.	1,500.00	Banning Engineering	5000-01	GDI
M.	3,536.10	Alan Hizer	063-3000-18	Profess. Services
N.	3,937.50	Alan Hizer	063-3000-18	Profess. Services
O.	1,500.00	Weaver/Fox Bros. Excavating	5000-01	GDM

(Did not approve to pay letter M for the amount of \$3536.10 to Alan Hizer)

MINUTES

Terry: Entertain a motion to sign the minutes.

Bud: I'll make a motion to approve the minutes and sign.

Terry: Second. Motion and second to approve the minutes as presented. Motion carried.

Jenny: Since we are going to meet next month on the Small Tile, I did repair a report. If you guys want to look through this approve it, that way it's entered into the minutes. It's just kind of gives, it was just a purpose for today's hearing. The prices were listed. Then I gave some background information on it what we had spent on the ditch in the past 10 years and the tile in the past 10 years and for future for prices and stuff. Kind of explains a little bit in here like how the petition was presented and accepted by the Board. There's a breakdown of the cost in the last 10 years.

Bud: I will make a motion to accept Jenny's report.

Terry: Second. Motion and second to accept the report on the Small Tile by Jennifer Keller. Motion carried.

Jenny: Next meeting I will have several copies if people would like one.

Bud: I think they would like that.

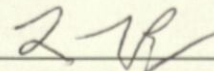
ADJOURNMENT

Terry: Entertain a motion to adjourn.

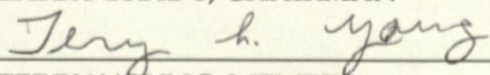
Bud: I make a motion we adjourn.

Terry: I'll second. We have a motion and a second to adjourn. Motion carried. The meeting adjourned at 4:10 p.m.

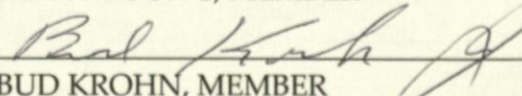
PULASKI COUNTY DRAINAGE BOARD



LARRY BRADY, CHAIRMAN



TERRY YOUNG, MEMBER



BUD KROHN, MEMBER

SUSAN THOMAS
Drainage Board Secretary