

PULASKI COUNTY DRAINAGE BOARD
JANUARY 19, 2016

The Pulaski County Drainage Board met on Tuesday January 19, 2016. The meeting was called to order by Terry Young at 2:30 p.m. in the Commissioner's Room, third floor of the Pulaski County Courthouse. Present was President Larry Brady, Terry Young, Bud Krohn Jr., Attorney Tim Murray, Jenny Keller, Terry Ruff, Gary Kruger, Ron White and Susan Thomas. Also present was Kaye Becker a representative of NIPSCO.

REORGANIZATION

CHAIRMAN	<u>Bud Krohn Jr.</u> Larry made motion. Terry second.
VICE-CHAIRMAN	<u>Terry Young</u> Larry made motion. Bud second.
DRAINAGE BOARD ATTORNEY	<u>Timothy Murray</u> Larry made motion. Terry second.
DRAINAGE BOARD SECRETARY	<u>Susan Thomas</u> Larry made motion. Terry second.
MONON (1)	<u>Mike Tiede</u> Larry made motion. Terry second.
INDIAN CREEK (1)	<u>Bud Krohn Jr.</u> Larry made motion. Terry second.
BOGUS (2)	<u>Jerry Sullivan</u> Larry made motion. Terry second.
	<u>Bud Krohn Jr.</u> Larry made motion. Terry second.
ZECHIEL CHAPMAN (1)	<u>Larry Brady</u> Terry made motion. Bud second.

Motion approved in all appointments.

REPRESENTATIVE FROM NIPSCO

Kaye Becker: I've got a project over in White Post Township to replace some rig liner stations and the plan is to run some gas along 1200 west, between, south of 200 south, between 200 south and 300. It's the Stein Ditch at two locations. The plans are to directional bore and be five foot under the culvert. The rest of the main we are going to crunch in the right-a-way. Take it up and tie into an existing main that's on 150 south.

Larry: When are you planning on doing this project?

Kaye Becker: Early this spring. It's out for bid right now

Terry Ruff: How big a boring are you doing under the road?

Kaye Becker: We are going to boar a three inch gas main under.

Terry Ruff: No problem.

Larry: I move that we allow NIPCSO to proceed forward on the boring project.

Terry: I'll second.

Bud: We have a motion and a second. Motion carried.

Jenny: With it being the Stein Ditch, which is maintained, if anything happens they incur all the expense, the obstructions and stuff like that?

Kaye Becker: Yes. I think that's granted by state ordinance that we are obligated.

OPENING OF QUOTES

<u>ORTMAN DITCH</u>	<u>CONTRACTORS</u>	<u>QUOTES</u>
Estimate \$3404.89	ZEHNER EXCAVATING	\$5,599.80
10% over \$3745.37	LOEHMER AG PRODUCTS	\$6,435.00
	INGRAM EXCAVATING	\$2,400.00

Larry: I move to accept Ingram Excavating for the Ortman Ditch for \$2,400.00.

Terry: I'll second Larry's motion.

Bud: Kirk Ingram has the Ortman Ditch.

Jenny: There's the Reidelbach Branch that goes off the Ortman. There were a couple guys wanting that cleaned.

Larry: I move that we allow Ingram Excavating and Fran Fox Excavating to submit bids for the cleaning out of the Reidelbach portion of the ditch.

Terry: I'll second Larry's motion on that.

Bud: Do you have to have another bid?

Jenny: If they're within, under \$3500.00. If it goes over the \$3500.00 I can just ask you guys.

Larry: Give us a phone call, e-mail or whatever you need to do get approval so that you can move forward.

SWINGLE DITCH

Estimate \$12,445.43	JOHNS BROS.	\$ 8,499.00**
10% over \$13,689.97	ZEHNER EXCAVATING	\$15,747.75
	LOEHMER AG PRODUCTS	\$19,980.00
	INGRAM EXCAVATING	\$22,000.00

Larry: I'm seeing a bid of \$8,499.00 from Johns Bros. is my motion to approve the bid for \$8499.00.

Terry: I'll second.

Bud: Johns Bros for \$8499.00

RINGEN MOSS

Estimate \$5919.50	JOHNS BROS	\$ 5,500.00**
10% over \$6511.47	ZEHNER EXCAVATING	\$13,473.00
	LOEHMER AG PRODUCTS	\$ 9,150.00
	INGRAM EXCAVATING	\$ 6,168.00

Larry: I see the bid for \$5500.00 from Johns Bros. I move that we accept Johns Bros. bid for the Ringen Moss project.

Bud: I second. Motion carried.

ERNEST ANLIKER

Estimate	\$4149.00	JOHNS BROS	\$ 3,500.00**
10% over	\$4563.90	ZEHNER EXCAVATING	\$ 8,670.40
		LOEHMER AG PRODUCTS	\$12,780.00

Dan Kain: Well Earl Johns was in this morning and he says they've got issues but it's not really the ditch. It's the tile from the church down to there.

Jenny: In the state right-of-way.

Larry: Who's is that tile?

Dan and Jenny: State.

Jenny: The state should be liable for that.

Larry: Yes. Could we get a representative from the state? We have the bids a bid of \$3500.00 which is under the estimate of \$4149.00. With that in mind, I will make the motion to approve Johns Bros. for the Ernest Anliker project. The County Highway will replace the pipe if needed, by FRATCO/park.

Bud: Second. Motion carried.

CORRECTION OF ASSESSMENTS ON ANTRIM

Jenny: On the Antrim, we have maintenance of corrections. Mrs. Conley said they should not be assessed on the Antrim.

Dan did a field inspection and we determined that out of that 40, 16.30 should be assessed to the Antrim. Also we discovered that CBS Investments were not being assessed for their 40 acres so we are going to assess them 40 out of their 40.

Larry: I'll make a motion we sign both of these corrections to the Antrim Ditch.

Terry: I'll second that motion.

Bud: We have a motion and a second to sign these two. Motion carried.

NEW BUSINESS

Jenny: Doug Malchow came to me and asked about a tile that ran alongside a county road. It is not maintained. He stated that in the past that it had been fixed by the County Highway. I told him to go check with the County Highway. Terry Ruff came to me asking if there is a tile alongside a county road, do they automatically assume responsibility for every single tile throughout the whole county? Where do we go?

Tim Murray: I think it's up to you guys. I think you just decide. Did Doug say it was backing up?

Gary Kruger: It's broke down.

Terry Ruff: We dug around his house and that's what we found. It's shot.

Larry: Terry have you checked out what other counties are doing?

Tim Murray: There's nothing that I've read in the code that says how to address that kind of issues. It's kind of an admiration of ways.

Larry: Jenny what's the process of putting things on maintenance.

Jenny: The landowner has to petition that and then get 10% of the landowners to sign it and then it comes before you to approve or disapprove.

Terry Ruff: If you put it on maintenance then the initial cost all goes to who then?

Jenny: Whoever is in that watershed and you guys would be paying on it also because of the road.

Tim Murray: You have a tile that's never been maintained by the county. Never been replaced other than patching it up, to keep it from completely collapsing.

Terry Ruff: We have no proof that it is a county tile.

Jenny: Just because they patch it still doesn't make it yours.

Larry: Jenny stated that there's process in making a maintained ditch and that 10% of the landowners need to petition the Drainage Board. Then all parties will be assessed appropriately. Check with Mark Fox on that equation and get a full understanding frontwards and backwards on how that equation would work.

Terry Ruff: Make a guideline to go by.

Tim Murray: Make it as simple as possible. I'll do some digging too and if I find anything out I'll call you.

Larry: Let's do a little bit of homework there.

ED FRAIN TILE

Jenny: Sewell and Sandy Dunn reported a couple sink holes in their yard. I called DeSabatine's to fix those. I did talk to Brad Zellers with the town. He's willing to go ahead so we can use the camera. I told Dan to pick a couple spots where we have access to look up the tile.

SMALL TILE (update)

Jenny: Last month you guys wanted me to send letters out to Simmermaker and Martindale asking for their help in the surveys. I have not received a response from either one.

Larry: If we go in and do spot maintenance or repairs, just doing areas that may be the culprit. That's an added cost on our end but at least the project is moving forward

Bud: We shouldn't be doing this for them. If they don't have the initiative to come up and do these petitions, I don't think those farmers should be paying for the tab for the city people.

Larry: So let the income surveys go to the wayside and then attack this as an individual assess and repair?

Jenny: I think I know where Bud is coming from. You want Mud Creek separate from the Small Tile.

Larry: And that would be up to them to petition us to do that.

Jenny: Yes they would have to petition....

Larry: The separation.

Jenny: Yes, then you have to worry about the money that's in the fund. How do you divide that? What's going to stay in Mud Creek and what's going to come out to the Small Tile.

Larry: So you still say we need a hearing once we figure out what the projects going to cost.

Jenny: Yes because if you're going to separate....

Larry: We're not separating until they come to us. Until this piece of paper is telling me that it's been separated, I can't separate it.

Jenny: Yes, I agree so we're going to have another hearing with them.

BENNETT TILE

Jenny: Sam Frain reported that the Bennett Tile needed jetted. Brian Harper called DeSabatines, without calling the office first so I wrote Brian Harper a letter saying I didn't give you permission to do that. I told Brian, there are proper procedures to do this. The next time though, this could fall back on you. He called me and congratulated me for being on top of it. It's supposed to be jetted out twice a year. It doesn't happen as a routine. So what I have done, I've marked my calendar and I already have letters made up. In April and September the contractor is going to get a letter and say, pick a date this month. Go jet it out.

FRITZ DITCH

Jenny: Joe Krulik was in and wants the Fritz Ditch surveyed and cleaned east of Hwy 39 to the farm crossing. Dan has that on his list to do to get done.

MCNEIL/PHILLIPS

Jenny: Kent Schultz had called me and was inquiring about how to reconstruct the tile. I told him the procedure reconstruction vs. maintenance and he's supposed to get back with me.

BLASSER #1 & RIPLEY TILE

Jenny: Jim Busek (Jerry Gaunci land) would like this cleaned. (approx. 3560 feet). I talked to Tom Duggleby, he is from the Medaryville area. He said he would do this for \$1284.00. I told him to go ahead and do it.

MULL TILE

Jenny: Joe Wegner was in. It's Betty Parcel's property. It is holding water east of the house. Dan will look at this.

MOSS CREEK

Jenny: Todd Schmicker reported some beavers so I ask John Miller. He's going to go out and see if he can trap.

REINHOLD DITCH

Jenny: Dennis Haschel was in regarding the status of cleaning this ditch. It has been surveyed. I have an estimate on that. It's not very much. It's \$1.00 an acre and there are only 313 acres benefitted. For one year they would pay \$17.05 an acre. I'm going to try for a hearing next month on this to raise the rate.

ROYER DITCH

Jenny: Ron Bucks wants 200-250 feet of 18" tile replaced. We've dug through all the records and minutes and it's not maintained so I told him that that is at his expense.

LANGE BRANCH OF THE ROBERTS DITCH

Jenny: Seth Miller would like a section of this cleaned. It goes on 3 sides of his property and he would like that cleaned. Dan will go check this out.

NIMZ DITCH

Jenny: Tim Alexander reported that it needs cleaned east of 75W between 100S and 200S. We will have to look at that also.

M.P. HILL (Samuel Haring)

Jenny: Carl Federer has been asking to get the Samuel Haring cleaned which is the branch off the M.P. Hill. I would like to know if I could go ahead and ask Jerry Gutwein, while he's out there cleaning the M.P. Hill, to get a quote on cleaning the Haring.

Larry: I'll entertain, I'll move that we allow Mr. Gutwein to give us a bid for the cleaning of the Haring ditch.

Terry: I'll second.

Bud: We have a motion and second for the cleaning by Jerry Gutwein. Motion carried.

MOSELY DITCH

Jenny: I had a phone call today from Don Bradenberg. The Mosely's on maintenance. There's a section Colleen Kennedy wants cleaned. There's a lot of cottonwood trees on her part that they want taken off. And they want the ditch to pay for it.

Sue: I think he said there was a tree in the ditch.

Jenny: When Dan went out and looked at it, he said there were no trees in the ditch but this gentleman says there's a tree in the ditch. If we cleaned the ditch, we probably still wouldn't cut down all their cottonwood trees unless it was necessary.

Larry: If there's one in the ditch then we need to clean that out.

Jenny: They are technically ours, can we leave them in our right-a-way?

Larry: You can still leave them in our right-a-way. If they are in the ditch, they fall in the ditch then we'll come clean it up.

SECTION CORNERS

Jenny: Mike Kingman had responded, our section corners.

Larry: Have them do the whole, be responsible for the whole thing. That way our Highway Department can do their projects.

Jenny: So go back, give me a price of you doing everything?

Larry: There's \$15,000.00 approved. I will move to go ahead and reconfirm that approval of \$15,000.00 for whatever work we can get done where they're doing the whole work.

Terry: I'll second that motion Larry.

Bud: We have a motion and a second. Motion carried.

LINCOLN LEACH

Jenny: The Lincoln Leach, I finally got an estimate. Mark Kolish and Devon Field have issues on this. If we can get that out in the next couple of days, can I call a special meeting? I'm going to send it out for quotes. Can I call you guys in for a special meeting to open them up? I would like to put just a May 1st deadline.

Larry: I'm ok with that. We can make a prevision, if one of us can get in there with the witnesses of the office staff, open up the quotes and forward them to us. We can respond via e-mail or phone call. We can make that a special onetime deal here.

BRUCE LAKE OUTLET

Jenny: They went out last Friday and started flagging the Bruce Lake.

SIGNING OF CONTRACTS

Jenny: Gutwein Bulldozing – Antrim Ditch, Weaver-Fox Bros – Mohler Ditch.

Larry: I move that we approve both contracts as presented to us.

Terry: Second.

Bud: Motion and second to approve these contracts. Motion carried.

TEMPORARY HIRE

Jenny: Our part-time helper, she has to have surgery. The doctor said she can't be out in the weather until it really heals. So she's going to be gone for a while.

Larry: So do you want to hire a part-time temporary help?

Jenny: Replacement?

Larry: I move to give you permission to seek out temporary hire for short period of time.

Terry: And I'll second.

MINUTES AND CLAIMS

Larry: I move that we approve and sign the minutes and claims as presented.

Terry: I'll second that too.

Bud: Motion and second. Approved.

\$ 580.00	Doug Fritz	Hernigle Tile	50100.000	GDM
165.00	DeSabatine Bros	McNeil Phillips tile	50100.000	GDM
1,630.00	DeSabatine Bros	Smith/Walburn	50100.000	GDM
915.00	DeSabatine Bros	Smith/Walburn	50100.000	GDM
29.55	Howards Marathon	Gas	006-22100	Gas, Oil, etc.
98.00	US Postal Service	Stamps	006-32100	Postage
300.00	DeSabatine Bros	Bennett Tile	50100.000	GDM

NEW BUSINESS

Jenny: If we do run into a bind like for postage....

Larry: I move that we give you guys ongoing approval to ask for additional funding for postage if ever needed.

Terry: Absolutely second.

Bud: Motion approved.

ADJOURNMENT

Larry: Move to adjourn.

Terry: Second.

Bud: Meeting adjourned at 4:25 p.m.

BUD KROHN JR., CHAIRMAN

TERRY YOUNG, MEMBER

LARRY BRADY, MEMBER

SUSAN THOMAS
Drainage Board Secretary