

PULASKI COUNTY DRAINAGE BOARD MEETING
MOSELY MAIN DITCH PUBLIC HEARING
AUGUST 21, 2017

The Pulaski County Drainage Board met on Monday August 21, 2017 in the Commissioners Room, third floor of the Pulaski County Courthouse. The meeting was called to order by Kenny Becker at 10:28 a.m.

Present was Kenny Becker, Jerry Locke, Attorney Tim Murray, Jenny Keller and Susan Thomas. Also present was Garry Fox, Richard Fox, Brad Carpenter, Mark Stevens, Gary Overmyer and Tim Kopkey.

MOSELY MAIN HEARING

Jenny: First off, there were a lot of discrepancies on the route of the ditch. Our records and legal descriptions show that it ends in section 34 in Gillard Township in Jasper County. Then there was also a discrepancy with the branch that they called the Mosely Branch which is the Blaze Branch in Jasper County. Since Pulaski County is in charge, they're okay with our route. It would start in Jasper County in section 34 and it's going to go into Pulaski County and end at the Monon Ditch. There are five laterals through the whole project that we will go up 300 feet. Okay we'll proceed with the hearing. The Mosely Main is located in White Post civil township in Pulaski County and Gillian civil township in Jasper County. The reason why we are having this hearing is that we had a couple landowners that came in and wanted the ditch cleaned. The Mosely went on maintenance in 1978 and it has been at \$.35 an acre ever since then. We only have \$27,131.95 in the fund and the project is estimated at over \$112,000.00. At this time we are proposing \$3.00 an acre, \$10.00 per lot with a \$10.00 minimum.

Brad Carpenter: Do you know how many acres there are in the watershed?

Jenny: In Pulaski County there are 8,084.050 acres and Jasper County has 4,924.466 acres. Right now Pulaski County brings in \$2,829.42 a year and Jasper County brings in \$1,860.26 a year.

Brad Carpenter: That acreage includes the branches?

Jenny: Yes. They should be included because they are in the watershed. The Mosely Branch itself is the only one that has its own separate fund. In the specs, we would start approximately 450 feet west of the Monon Ditch and we are going to go to where it ends in Jasper County. There is going to be 44,545.66 yards to be removed. We will take it down to the original bottom, not below and we will brush both slopes and on the bank that the contractor will be working on.

Richard Fox: After this, the prices will go back to what it normally was?

Jenny: Once we raise it, it stays that way. If it gets passed at \$3.00 today, it will stay at \$3.00.

Mark Stevens: How many years are you thinking that this \$3.00 amount will be in effect?

Jenny: If it passes at \$3.00 today, it will stay at \$3.00.

Garry Fox: How long will it take to get the fund to clean it, roughly?

Jenny: I'm going to guess at least 3 ½-4 years. It depends on what the contractor bids.

Garry Fox: What is it going to cost?

Jenny: About \$112,000.00 is what our estimate is.

Mark Stevens: When can we expect something to be done, as far as the cleaning of it?

Jenny: We are going to try to let it this fall.

Brad Carpenter: Will there be any provisions made for filter strips or is that going to fall back on the landowners?

Jenny: It always fell back on the landowners. We've never paid to re-seed.

Mark Stevens: Does that \$112,000.00 estimate include getting rid of the brush, the trees on that?

Jenny: Yes. That estimate includes all of that. And we would just pile, burn and bury, that is the procedure.

Kenny: What would you guys like to pay? What can you guys live with? Could you live with \$2.50 an acre?

Garry Fox: It's still quite a jump but I think that would be better than \$3.00.

Mark Stevens: If that's what we need to do, yes.

Kenny: Do you guys all agree to accept \$2.50 an acre?

Richard Fox: Yes.

Kenny: I make a motion that the Mosely Main Ditch be the rate we set at \$2.50 an acre, \$10.00 lots and \$10.00 minimum.

Jerry: I'll second.

Kenny: I've got a motion and a second. Motion carried. Hope to get it cleaned out this fall.

ROBERTS DITCH CROSSING – TIM KOPKEY

Jenny: Tim Kopkey is here. I think it was last fall Fred Allen had been in and asked about the private crossing. I wrote him a letter and told him I didn't know what was going on but the private crossing is gone.

Kenny: Did they take it out or what happened to it?

Tim Kopkey: I told Jenny that on October 23, 2009, I was arrested. I was on the property. The bridge was there and intact.

Kenny: Has it been cleaned?

Jenny: In 2008 was the last time it was fully cleaned.

Kenny: They didn't take it out then did they?

Jenny: No there's nothing in the specs. He says in 2009 it was still there.

Kenny: After they cleaned the ditch it was still there?

Tim Kopkey: I was there on the property in 2009 in October and everything was still solid as could be. I assume that is what the issue was. That it broke completely loose and probably dropped off on the east side and caused a blockage in the waterway and needed to be removed. I can understand removing that but if you'd see the pile. There are pretty big chunks of concrete sitting there.

Tim Murray: But we don't have anything to show that the County did it. It was still there in 2009 so the County hasn't done anything in that ditch since 2008, right?

Jenny: Just minor maintenance.

Tim Murray: Some washouts and stuff. But not going in there and cleaning the ditch out or done anything that would have indicated that.

Jenny: Just keep in mind, because a lot of people always ask us about the private crossings, the policy's always been that we never paid for private crossings, regardless, because we've got the 75 foot right-a-way on both sides.

Tim Kopkey: The timeframe, as far as getting things resolved, is going to run out on me on this side, to come to an agreement.

Tim Murray: What do you mean run out?

Tim Kopkey: You've got statute of limitations here as far as what the Attorney Brad Rosey saying to me that when Fred became knowledgeable of this bridge missing. You don't go back to 2008. It goes by when he found out the bridge was missing as far as going after whoever came on the property and took it out without permission. You guys made a copy of Google image that shows and you guys agree that the bridge was there in 2010. So somewhere between 2010 and 2016, when Fred went down there, John Bawcum called and started talking about this Panhandle Pathway, is when we found out that the bridge was missing.

Kenny: We would have no idea who took it out.

Tim Murray: Jenny's checked her files and there's nothing there and nobody has any recollection of anything like that happening. It's on the private property owner to either repair it, or remove or replace it.

Kenny: Sorry, we can't help you.

KOEPKE DITCH

Kenny: That big cottonwood fall on the west end or south end?

Jenny: Yes. Jordan Fields is going to take care of that.

J. BROWN/LYDETTE DITCH

Jenny: Mike Reid reported a hold on the west side of 250S across from his house in Star City. I need to find out for sure if that is actually the John Brown/Lydetta because it's right along the road.

STOUT-GUISE DITCH

Jenny: Mick Perry reported a couple washouts and he would like that section cleaned 1000 feet to ¼ mile. DeSabatines will do this for \$1200.00. It's right off 119 back there where Al has his subdivision.

INGRAM EXCAVATING – ORTMAN DITCH

Jenny: Ingram Excavating cleaned the Ortman Ditch which they bid. He never submitted an invoice. Their son Daniel is going to be taking over the business. He called in and inquired about it but I haven't heard anymore. I just wanted to let you know that that's what's going on with that.

INDIAN CREEK BOARD APPOINTMENT

Kenny: You want to make an appointment? Where do they meet at?

Jenny: Cass County in the meeting room.

Kenny: I guess I could be on that Board if you want me to.

Jerry: I'll make a motion that Kenny be on the Indian Creek Board.

Kenny: Second. I have a motion and a second. Motion carried.

MEDARYVILLE TOWN WATER ISSUES

Jenny: The town of Medaryville, this all stems from Brian Capooch. He's been going to the Town Board in Medaryville because he wants to empty his water into the Town's tile which in turn drains into our Antrim Ditch. I told the Town, I told the Attorney and I told Brian that he has to get permission for the town first. As far as I'm concerned, he has to go through them first for them to allow him because it has to go through their tile first and then ours. They keep coming back to us.

Tim Murray: Why do they keep coming back to us if you told them that?

Jenny: They think that you guys have to tell them that it's okay.

Kenny: Maybe we ought to have our Attorney send them a letter.

Sue: They think we have an ordinance that they have to sign off on.

Jenny: Yes or this is IDEM related stuff.

Tim Murray: What do you want me to tell them? Just that they need to decide whether the Town is going to let them use their drain and then they can approach the Drainage Board?

Jenny: Yes.

Tim Murray: I may send it to their Attorney.

Jenny: I've spoken with her. Originally it started out as they thought there was an ordinance or they had to do a permit or whatever.

CLAIMS

Jerry: I'll make a motion to approve the claims as presented.

Kenny: Second. Motion carried.

A	\$ 2,925.00	JCLSS Jasper Co. Land Surveyor	Section Corners	50100.000	Surveyors perpetuation
B	563.48	Hoover Farms (tile work repair)	Joseph Winter Tile	50100.000	GDM
C	13.72	Pulaski County Press	Public Notice	33200	Advertising
D	188.00	JT's Shirt Shack	Shirts & Signs	24400	Field Supplies
E	291.10	Howards Marathon \$264.85	Gas for spray truck	22100	Gas, Oil, etc.

		26.25	Tire repair	36100	Equipment repair
F	14,661.25	Arborchem	Chemicals for spraying	50100.000	GDI

MINUTES

Jerry: Motion to approve the minutes.

Kenny: Second. Motion carried.

ADJOURNMENT

Kenny: Motion to adjourn.

Jerry: Second.

Kenny: We have a motion and a second. Meeting adjourned at 11:40 a.m.

PULASKI COUNTY DRAINAGE BOARD

BUD KROHN, JR

KENNY BECKER

JERRY LOCKE

SUSAN THOMAS
Drainage Board Secretary