

REGULAR DRAINAGE BOARD MEETING:

August 21, 2023

President, Dick McIntire, called the meeting to order. Members present at the meeting were the following:

Dick McIntire, President
Jamie Swoboda, Vice President
Shannon Henry, Member
John Landers, Member
William Whitehead, Member
Tom Borchers, Surveyor
Brandon Murphy, Attorney
Jennifer Licht, Recording Secretary

President, Dick McIntire, opened the meeting by welcoming the audience and inviting them to participate in the pledge of allegiance.

APPROVAL OF MINUTES:

Mr. McIntire entertained a motion for the approval of the July 17, 2023 Drainage Board Minutes.

Mr. Whitehead moved for approval. Motion seconded by Mr. Henry. **Motion passed 5-0.**

NEW BUSINESS:

Personal Bridge on Mr. and Mrs. Winkle's Property

Mr. McIntire addressed Mr. Borchers and asked if he had any new business to present to the Board today.

Mr. Borchers states, Brian Scherrer, with Scherrer Construction requests to put a bridge across Donald and Deborah Winkle's property, at 2600 N Rolling Hills Dr. Yorktown, for their personal use. The Ditch comes out of the 12-inch tile next to their house into a rip rap flat ditch area and continues into an 18-inch culvert under the road. In the plans that he submitted, the bridge will be 3 foot above the natural water mark which it doesn't hold water unless we have heavy rain. I see no problem and I give my approval of them building a personal bridge over the county's regulated drain.

Mr. Henry asks Mr. Murphy if we need to contact the Army Corp of Engineers since it's a county

regulated drain?

Mr. Murphy states, he doesn't believe so but let me check on that. However, you can make a motion contingent on my research on the that topic if you wish to do so.

Mr. Henry moved for approval pending Mr. Murphy's research on the Army Corp Engineers. Motion seconded by Mr. Swoboda. **Motion passed 5-0.**

Mr. McIntire addressed Mr. Borchers and asked if he has anything else for the board today.

Mr. Borchers states, I just want to touch base on 2 complaints we had this past week. The farmers fields are draining into a natural water way that is NOT a regulated drain so it ties my hands of what I can do. Just want to get the boards idea of my obligation and what I can do in regards to the natural water way and not being a county regulated drain.

Mr. Murphy states, I believe our only obligation is if we receive a petition to remove an obstruction from the natural water way, we really don't have much power before such a petition is received without permission of property owners to actually enter their property and remove anything. We can't take any action without either permission of the property owners or if a is petition filed that we would have to set a hearing on. We don't have either one at this time.

Mr. McIntire asks, what do you suggest we do at this time, do we need to take a vote on it?

Mr. Murphy states, you do not need to take vote. My suggestion is if we receive a petition we follow the code and schedule a hearing and take no action in the meantime.

Mr. Henry states, do we need to contact the property owners?

Mr. Borchers states, I will contact them let them and let them know where we stand. Once the crops are off and I can walk it I will see what if anything needs to be done. I still think it is just a natural water way that's not made to carry a bunch of water.

Mr. McIntire asks if there is anything else.

Mr. Borchers states, not at this time.

Mr. Henry states, I just want to mention that in 2025, any meeting held in this room will have to be video taped and live streamed, so if we want to continue holding meetings in this room you need to start budgeting for that. There will be a cost and you will need to contact Mark Slusher of the cost.

Mr. Whitehead is that a must? I would rather put the money toward drainage.

Mr. Borchers states, it will come out of the general fund.

Mr. Henry states, Yes, it's State Statute. My understanding is we can hold it in another room without having to pay.

Mr. Borchers states, I will reach out and get some prices, report back to you and go from there.

OLD BUSINESS:

Mr. McIntire addressed Mr. Borchers and asked if he had any old business to present to the Board today.

Mr. Borchers stated, I have no old business to present.

MAINTENANCE CLAIMS:

Mr. McIntire entertained a motion for the approval of the maintenance claims as presented.

Mr. Landers moved to approve the claims as submitted. Mr. Whitehead seconded. **Motion passed 5-0.**

Paul Schriver, Blackford County Surveyor, approached and stated he is here to discuss a few of our county line ditches and broken tile. He advises there is work that needs to be done on the Blackford County line as well as the Delaware County line on the Filder, James Holcroft, J Prong of Veach ditch. I'm hear to see whether we should work jointly on the maintenance or do ourselves. You really need to look into getting a Cumulative Dain Fund. A member of your County Council helped me with mine. It's too late for next year because it should have already been done and sent to the State Board of Accounts. Its extra money that comes from boat money and plate fees that can be used towards drains and tree removal. You have to have it budgeted through County Council. You really need to check into the Cumulative Fund, and start doing the leg work now for the following year.

Mr. McIntire stated, I think you need to work with Mr. Borchers and he needs to give his recommendation to the board. I think Mr. Borchers can better educate us what thinks will be beneficial to both County's.

Mr. Henry asks, Mr. Borchers you will take a look at these next?

Mr. Borchers states, I will put together notes on all these ditches. Then we can decide if we can do on our own, or form a special board if it's too outrageously expensive and do jointly. Right now, let me look at them then give you my recommendation and go from there.

Mr. Schriver states, I think most of them you will want to give to us. But, I think a few of them

we need work on together on.

Mr. Whitehead states, we would like that really well.

ADJOURNMENT:

The meeting adjourned at 3:00 p.m.

Dick McIntire, President

Jamie Swoboda, Vice President

William Whitehead, Member

Shannon Henry, Member

John Landers, Member

Jennifer Licht, Recording Secretary