

**FULTON COUNTY DRAINAGE BOARD MEETING  
FOR AUGUST 8, 2016**

The Fulton County Drainage Board met on Monday, August 8, 2016 in the Conference Room of the Fulton County Office Building at 9:00 A.M. The following people were in attendance: Chairman Roger Rose, Vice-Chairman Bryan Lewis, Commissioner Sherry Fulton, Surveyor Don Towne, Secretary Kasey Hensley, and Attorney Greg Heller.

**RE: APPROVAL OF MINUTES**

The Board was presented with minutes from the June 13, 2016 and July 11, 2016 Drainage Board meeting. The motion was made to approve the minutes as presented. The motion was seconded and passed 3-0.

**RE: SITE PLAN- GREEN OAK ANTIQUES**

Surveyor Don Towne presented the drainage/site plans for Green Oaks Antiques, legally described as part of the NW ¼ of the NW ¼ of section 35, Township 30 North, Range 3 East, in Rochester Township, Fulton County, Indiana. Owner Steve Furnivall was present for the meeting. Green Oaks will be adding an addition to their building as well as a gravel parking space.

The Board briefly discussed the plans and the motion was entertained to approve the plans as presented. The motion was made, seconded and passed 3-0.

**RE: #822 SMITH HEIGHWAY TILE, CAUSE #3-2016**

The Findings and Order for the establishment of Maintenance ended on Friday, August 5, 2016 with no judicial review. Per the request of landowners Tom Weaver and Dale Smith, whom were present at the meeting, Surveyor Don Towne requested the Board not certify the Maintenance for the tile. Don instead recommended the Board vacate the establishment of Maintenance while still keeping the tile a "Ditch of County Record".

Dale and Tom pay a majority of the assessment and approached Don with an alternative plan to establishing Maintenance. The two landowners want to reroute the tile at their expense, removing it from the Reid property. The two landowners would also be responsible for future maintenance. The Board discussed the possibility of suspending the certification of the Maintenance.

Drainage Board Attorney Greg Heller urged the Board to set a public hearing to vacate the previous action of establishing Maintenance. Chairman Roger Rose entertained a motion to set a public hearing to reverse the previous action of establishment of the Maintenance for Monday, September 12, 2016 at 9:45 a.m. The motion was made, seconded and passed 3-0.

**RE: ROY SWARTZ/#808 CB MASTELLAR OPEN**

Landowner Roy Swartz submitted to the Board a letter stating his history in Fulton County, information about previous private Open work, a photo of the east side of his drive and a photo of the west side of his drive. His private pipes rest in the #808 CB Mastellar Open. Roy hired a person to remove debris

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from his crossing pipe for \$50.00. He then submitted it for reimbursement to the Surveyor's Office, which was not paid. Roy asked the Board to clarify his responsibility to the private crossing.

The Board discussed with Roy the responsibility of a private crossing being the landowner's expense. The photos showed no debris blocking the pipes as well as even water levels on both sides indicating no blockage. The Board denied payment of the bill based on the general consensus of it being his responsibility.

**RE: SITE PLAN- SHEPHERD CAR WASH**

Surveyor Don Towne presented the drainage/site plans for Shepherd Car Wash, legally described as Mid Pt S Side Ne 9-30-3, 4.877a, utility easement #20120355. The plan was briefly discussed.

Chairman Roger Rose entertained a motion to approve the plans as presented. The motion was made, seconded and passed 3-0.

**RE: BID OPENING- #628 EDMON TIPPY TILE/CAUSE #43-1967**

Chairman Roger Rose opened the bids for #628 Edmon Tippy Tile, Cause #43-1967. The Surveyor's estimate for this project is \$167,000.00. The bids are: LDP \$130,150.00; Ramer Excavating \$50,966.83; ADI/Timewell \$86,899.50; Ingram Excavating \$135,752.28; JD Excavating \$134,812.50; and Widner Excavating \$136,867.12.

In reviewing Ramer Excavating's submitted paperwork, it was indicated that it was improperly filled out and disqualified his bid. ADI/Timewell was the second lowest bidder at \$86,899.50. The Board discussed the previous issues with company's stance on not using stone with their tile. There was also concern with the project being bid at half the estimated cost. There was no representative from ADI/Timewell at the bid letting. The third lowest bidder was LDP. Surveyor Don Towne indicating LDP has a history of quality work in Fulton County.

Chairman Roger Rose entertained a motion, with consent from the Drainage Board Attorney Greg Heller, to award the #628 Edmon Tippy Tile to the third lowest bidder, LDP Excavating for the amount of \$130,150.00. The motion was made, seconded and passed 3-0.

**RE: #821 GEORGE WILSON OPEN-DELINEATION**

Surveyor Don Towne informed the Board he contacted three companies regarding delineation. At this time only one has responded, Amelia Harris with Orbis Environmental Consulting, South Bend, IN. She estimated the delineation at \$6,500.00. The funds would come from the General Drain Improvement Fund. At this time the George Wilson Open is not set as maintained drain.

Vice-Chairman Bryan Lewis expressed concern about spending \$6,500.00 for the delineation. Don stated the project cost depends greatly on the requirements of the Army Corps of Engineers from the delineation results. That could vary from a \$160,000.00 project to a \$360,000.00 project. Without paying for the delineation there is no way to estimate a solid project cost.

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The Board discussed the options and decided to hold a public hearing to determine the landowner interest. Don will attempt to run some numbers and during the September Drainage Board meeting, a public hearing will be set.

**RE: INSURANCE PREMIUMS/CONTRACTORS**

Recently the Surveyor's Office received an insurance confirmation from a contractor showing a \$500,000.00 premium on coverage. Surveyor Don Towne informed the Board almost all contractor's show a million dollar premium. Don inquired if the Board had any preferences.

After a brief discussion, the Board agreed all contractors should carry a minimum of a million dollar premium. Chairman Roger Rose entertained a motion to require contractors to hold a million dollar premium for their insurance policy. The motion was made, seconded and passed 3-0.

**RE: #806 SS COLLINS**

Surveyor Don Towne informed the Board he will be taking bids to clean the low end of the SS Collins. Typically only one side is brushed. Landowners Smith, Gudas, Brown and Lahman requested the opposite side be brushed this fall. Brushing will be completed only in farmable areas, not the wooded areas. Don will be contacting the landowners affected by the brushings to inform them of the plan and make sure they are on board.

Since the last cleaning four years ago, the County Highway Department changed a 9' pipe to a 12' pipe, which has helped with the flow of water.

**RE: FUTURE EQUIPMENT/ VEHICLE**

Vice-Chairman Bryan Lewis inquired if Surveyor Don Towne had received any quotes for new gps equipment or the new truck. Don stated he is speaking with equipment representatives on the 11<sup>th</sup> and 25<sup>th</sup> of this month. He will have quotes for a new truck in the next few months. He is waiting for the 2017 models to be available.

**CLAIMS**

**ADJOURNMENT**

**FULTON COUNTY DRAINAGE BOARD**

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Surveyor

ATTEST: Kasey Hensley, Drainage Board Secretary

(A CD of the meeting is available in the Surveyor's Office)