

FULTON COUNTY DRAINAGE BOARD MEETING
FOR August 8th 2022

The Fulton County Drainage Board met on Monday, August, 8th 2022 in the Conference Room of the Fulton County Office Building at 9:00 A.M. The Following were in attendance: President Dave Sommers, Vice Chairman Rick Ranstead, Surveyor Seth White, Drainage Board Secretary Lacey Holloway, and Attorney Hollie Shorter- Pifer. Public Attendance: Dave Smith, Tom Holloway, Jason Holloway, Mike Norman, Rudy Glinge, Phillip Martin, Carlin Martin, Lomar Martin, Chad Hartzler. Absent: Commissioner Bryan Lewis.

RE: DAVE SMITH- RIGHT OF WAY SPRAYING

Right Of Way got bid for Mud Creek and Dave doesn't want them spraying this late due to crops. They should have been done spraying by August 1st 2022. Dave does not like how late they are spraying while crops are up. Dave also read the contract and it states; the contractor should terminate spraying at any time if he assumes it will cause damage to any crops or property. There is 9 ½ miles of crops on Mud Creek that belong to Dave smith. Dave Smith would like for them to start earlier so they can finish earlier before the crops are starting to come up to avoid the issue of damaging anyone's crops. Surveyor Seth White States, "he can move the date forward he just doesn't want to take Right Of way and Oscar out of spraying because they can't meet the deadlines." Surveyor Seth White States, "he will put in for June 15th completion deadline next year." Everyone agreed in public attendance and the Commissioners also agreed. Mud Creek never got sprayed due to Dave Smith stopping him so Seth will give it to Oscar as an add on next year 2023. If Dave gets crops out early this year then he will let Seth know and then he will get ahold of Oscar and have him go quickly spray it to get it out of the way for this year's sprays.

RE: MCMANN DITCH #704

The bank is caved in 20 feet on each side on culvert. Surveyor Seth White states, "Kolesiak is coming in on another job by there and he might have him just do both jobs at the same time while he is close to that area and he can reach with his machine." The county needs more riprap. Seth stated, "He would call John from County Highway and go take a look at it." Rick stated, "to go ahead and dip it out and then we will have banks pulled back once crops are out of the way." There is also trees down on 450 E. and 300 N #799 Chippewanvek Ditch that need to be looked at to see how bad it is damming things up.

RE: PUBLIC HEARING ON #542 GAST ARM 3 CAUSE #3-1966

The hearing reason is to raise maintenance, we have had no objection letters or calls for this hearing. Issue is farmer cannot get his crops out due to suck holes. Funds in the account right now will not support to fix this issue that is why we are asking for a maintenance increase on this system. No negative comments or objections at the hearing so a motion was made by Rick Ranstead and seconded by Dave Sommers Motion passed 2-0 to raise maintenance on the #542 Gast Arm 3. Bid for #542 Gast AA Arm #3 total bid was \$54,762.60 by L.I. Excavating. Commissioner Rick Ranstead made motion to approve the bid for Gast Arm #3 #542 for \$54,762.60 Commissioner Dave Sommer's seconded motion. Motion was passed 2-.0. Hearing was closed.

RE: BID #574 LEUY OPEN

Surveyor Seth White bidding this out due to not having enough funds to dip this out. Bid is from Kolesiak Excavating for \$8,400.00. Commissioner Rick Ranstead made motion to approve Bid for \$8,400.00 Commissioner Dave Sommers seconded motion and it passes 2-.0

RE: BLACKETOR DRIVE LOTS 8&9 DRIANAGE PLAN

When they approved the subdivision we approved everything for the drainage plan. Basically all we are approving now is they are going to put up a building on these two lots and drain water in the same place as other lots. Surveyor Seth White states everything looks good on this drainage plan. Commissioner Rick Ranstead made a motion to approve the drainage plan on Blacketor. Motion passed 2-0.

RE: POLE BARN DRAIANGE PLAN- KOZIEL

Owner wants to put up a Pole barn on this property by State Road 14. Surveyor Seth White and 2nd Deputy Surveyor Lacey Holloway did not like the drainage plan he provided. Landowner then came back with a plan to put in 2 / 250 gallon tanks underground to catch the water from the drainage of the Pole Barn. Surveyor Seth White was okay with this and approved this plan. Commissioner Rick Ranstead made a motion to approve this plan and Commissioner Dave Sommers seconded the motion. Motion passed 2-0.

RE: URGENT CARE CENTER- WALMART LETTER APPROVAL FOR DRAINAGE

Hollie read through the letter we received from Walmart about the drainage going onto their property from the Urgent Care Center. Hollie doesn't like where Walmart states where they won't be unreasonably withheld. Hollie wants them to state specifically what they will allow them to actually excavate on their ground. Walmart's Approval letter was denied.

RE: WILLIAM GRAHAM #772- KROM/HOLFAST:

Holfast has trees planted that he does not want destroyed. The system is not working through his property and the easiest way to fix it is to put an open ditch. Mr. Holfast does not want this to happen because he put a lot of time and money into planting his trees. We did have the County Highway Department go out with a jetter and had no luck which is what the Surveyors office expected. The cheapest way to fix is an open ditch but if the landowners isn't up to it then next step would have to be to put tile in. In that case it's going to cause more destruction on this property as far as tree removal. Surveyor Seth White states, "One way or another we have to do something and it has to be done by next spring." Commissioner Rick Ranstead sates, "He would like for the landowners to come to the next drainage board meeting so we can get their thoughts and come to an agreement on what needs to be done." This way we all have an understanding and agreement on both ends. This has been tabled until next drainage board meeting so we can meet with landowner.

RE: PUBLIC HEARING #603 NATHAN PONTIOUS RECONSTRUCTION:

We had a petition come through to do a reconstruction on this tile. Part of the problem is the tile is coming up on top the ground. The reason for the high one-time amount per acres is due to the amount of money that is available in the account and the length of this system. It is going to take a lot of funds to do a complete reconstruction on this tile. We do have some written and verbal objections. Susan McFarland wrote a written letter objection to vote no on the reconstruction of this tile. Verbal objection from Randy Glinge and written objection letter from Randy Glinge and his brother not wanting this reconstruction done at all. They are totally against the one-time maintenance fee at \$900/acre that is completely unfeasible for them. They have 21 acres and Randy Glinge farms the property for him and they don't have that much property draining into it. Their mother is in a health care facility and they are not wanting to put that burden on their mother with the amount being \$900/acre. Commissioner Rick Ranstead asks Surveyor Seth White what it means to have it at a one-time fee. Surveyor Seth White states that is how we bill out a reconstruct when it is simply going to cost a lot of money. It will be billed out one time and the funds will go into maintenance for the reconstruction. Chad Hartzler also doesn't agree with the price per acre due to him having 160 acres. Phillip Martin states, "I am the one who filed the petition and he realizes there is a big chunk of tile and it would cost a lot to get it fixed." Commissioner Rick Ranstead asks, "What the total amount of the whole reconstruction would cost?" The total cost of this reconstruction would cost approx... \$300,150.00. Surveyor Seth White states, "Contractor would be coming in with a big tile to come right off the beginning which cost a lot." Surveyor Seth White asked Hollie if Phillip Martin was to split the cost and pay out money on his own then we bill landowners for the remaining balance is this legal to do? Attorney Hollie Shorter- Pilfer stated, "She would have to look into it and get back on a response after researching more." Randy Glinge stated, "I think it's going to be hard to drain it in order to get in there and do a reconstruction." Commissioner Rick Ranstead stated, "What if we even went with \$600/acre is that something that would be feasible for everyone to agree on?" Randy Glinge then stated, "That is still not benefitting him by going through there and then try and put another burden on his mother right now is not good, he still doesn't see the benefit." Mike Norman stated, "My thoughts would be if everyone around me wanted it and agreed on it then I would not stop them from doing it due to me being on the lower end." Mike Norman stated, "it's an 18" tile but it calls for a 24" tile he doesn't know the grade and wanted to know why it needed to be bigger." Mike Norman also stated, "If everyone comes together on an agreement on the high end then he won't stand in the way due to him being on the low end." Lamar Martin asked, "Do I have any ground that drains into that?" Surveyor Seth White replied, "You wouldn't have anything going into this tile." Commissioner Dave Sommers asks Phillip Martin how much money he would be willing to pay out to put the reconstruction through and get the other landowners to come to an agreement on a price. Phillip Martin asked what it would take to make it happen. Would he have to pay the whole thing? Commissioner Dave Sommers then asked the other landowners if they were completely opposed at this time of doing any work on it what so ever. Randy Glinge stated, "I am totally opposed of doing anything right now with the way my mother is I am opposed to no amount of money due to medical bills and other issues I am dealing with." Commissioner Rick Ranstead asked Chad Hartzler if he felt the same way. Chad Hartzler replied with, "Idk we have to have ditches and we have to maintain them that is important my dad was in the drainage business for years. It's just hard for me to answer right now with the passing of my mother and trying to sell the estate. Phillip Martin stated, "I would be willing to put the money up front if the county would be willing to pay it back to me over time." Seth stated, "Whitley County does something like that where they do by maintenance and then they do it by sections, but again if we are going to do that we have to have a hearing set again to raise maintenance and everyone would still have to agree on the price / acre and then Mr. Martin would still have to pay his assessment on top of the "donation." Commissioner Rick Ranstead asked Attorney Hollie Shorter- Pifer to do some research and see what option we can do. Seth commented and said that he needs to have a written decision made by Phillip Martin to see what he is willing to do and what the other land owners would be able to agree on and then we would have to set up another hearing and publish the hearing then send out letters again to landowners notifying them of the hearing. Commissioners mad a motion to deny this the \$900/acre. Motion passed for denial 2-0. A new hearing will need to be set if landowners decide to agree on a price / acre to get this reconstruction done.

RE: HOFFMAN

Landowner called in and Seth and James went onto Mr. Weldermuth property the tile is very shallow with a bunch of suck holes. WE need to make this a very small open ditch and Mr. Weldermuth is against it and told County no. Seth stated we could replace the tile. Commissioner Dave Sommers asked if there is anything plugging it up. Commissioner Rick Ranstead asked if the landowner can tell us we can't go on his property to put an open ditch and Seth said yes, because it is a tile. Until the two landowners come to an agreement then there is nothing we can do about this one. Commissioner Rick Ranstead asked to call landowners and ask them to come attend the meeting to discuss this matter.

CLAIMS:

Hollie Pifer- Shorter \$ 750.00 attorney
Prairie Marsh #863 William hill Ditch \$475 one- time spray
Fulton County Treasure \$1.06
Fulton Country Treasure -#796 Turnpaugh ditch \$2,029.22
Prairie Marsh #716 & #717 Troutman ditch spray \$861.75
Maintenance \$ 3,139.68
Steinke Wilson Arm #1 \$2,467.69
#826 Steinke Wilson main arm tile \$1,219.45
#612 Isaac sears tile \$ 2,878.30
Lewis Leininger tile - spray \$6,721.87
#815 Earl Guise Tile \$ 18,248.51
#541 Gast AA arm \$325.44
#825 S.S. Collins \$11,793.74
#820 S.S. Collins \$153.78
#507 Blair \$400.77
#502 Babcock \$6,408.02
Prairie Marsh \$1,492.92
Prairie Marsh \$2,373.33
Prairie Marsh \$ 2,328.64
Larry James Excavating- \$1,140.00
R & R Visual - \$1,307.64
Larry James #602 Putman Maintenance- \$6,304.00

Prairie Marsh #649 Steinke Wilson final spray-	\$3,199.60
Prairie Marsh #708 Leininger 1 st spray-	\$15,386.49
Prairie Marsh #788 Zanger Ditch 1 st spray-	\$3,998.40
Prairie Marsh #600 J.E. Overmyer 1 st spray-	\$3485.52
Prairie Marsh #807 Babcock 1 st spray -	\$1,626.24
Prairie Marsh #808 Mastellar 1 st spray-	\$1,789.92
Prairie Marsh #791 Dukes Orr 1 st spray-	\$657.36

ADJOURNMENT

FULTON COUNTY DRAINAGE BOARD

Surveyor

ATTEST: Lacey Holloway, Drainage Board Secretary

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