

FULTON COUNTY DRAINAGE BOARD MEETING  
FOR NOVEMBER 14<sup>TH</sup> 2022

The Fulton County Drainage Board met on Monday November, 14<sup>th</sup> 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, Commissioner Bryan Lewis, Surveyor Seth White, Drainage Secretary Lacey Holloway and Attorney Hollie Shorter- Pifer. Public Attendance: Dawson Honeycutt, Beaver Excavating, WM Beaver, and Dariel Sander

**RE: HOFFMAN DITCH- PETITION**

South Side of Akron, East side of the county issue we talked about a couple months ago. Dawson is going to talk in a little bit on his petition. Seth personally wants to do an open ditch, because there is not enough cover for a tile and Mr. Walgamuth was opposed to that. So at the previous meeting we had about this Dawson couldn't be present and Mr. Walgamuth was present. Now at this meeting Mr. Walgamuth is not present and Dawson is here to voice his opinion. Dawson stated, "He has lived at his property for going on five years now and the first year he let this issue go. Then mid-summer it gets very flooded and he cannot mow most of his property due to this. It also is not just effecting his property its effecting his neighbor's three doors down to the North." He does not know what a lot of the options are but he agrees that something defiantly needs to be done or it's just going to become a swamp. Seth states, "Long story short he thinks it needs to be an open just so we are not wasting money. Mr. Walgamuth is 100% against it. Seth asked Hollie, "Can I legally force this?" There is a petition for a reconstruct. So legally he can do the reconstruct but the issue is Mr. Walgamuth came in and he is not agreeing. If we had a hearing can we force it to be made into an open? Figure it up money wise both ways with a cost estimate and present it to him both ways so he knows how much it will be.

**RE: JM ROBBINS DITCH**

The Robbins ditch was set up when it was Don's last year as surveyor. Between county road 900 East and 800 East. After the ditch was cleaned Mr. Sanders put in a pipe that is to small it should be a lot bigger and he wants to ask permission to place an 8 ½ culvert. Seth stated, "What we would end up doing is having Mr. Sanders provide the pipe at his cost and whoever brings it would drop it on the ditch bank. Overmyer Excavating is going to that ditch sometime this winter 2022 so we would just have Overmyer place the pipe while they were there. Mr. Sanders would have to pay the cost of the pipe going in but at least he wouldn't be paying for a contractor fee. Mr. Sanders stated "The only reason that he placed a 4 foot tile there is because that is what was there before he replaced it, unfortunately when it got cleaned again they dropped the ditch 5ft so the 4 footer wasn't any good anymore." Commissioners agree that this is okay for Mr. Sanders to proceed with. The other question Mr. Sanders has is, "There is no other way he can get any other financial assistance with this at all?" Seth replied, "Since it's on your property and it is a private crossing the cost would be all on you." Rick stated, " You could always check with John Guyer at the Highway Department and see since they do a lot of business with the Culvert company maybe they would be able to get Mr. Sanders one at their price to kind of safe a little money there."

**RE: #783 GEORGE LANGENAUM HEARING- RAISE MAINTENANCE FROM \$1.00 TO \$5.00**

Dave opens the hearing at 9:17 a.m.

This ditch is currently collecting a \$1.00 a benefitted acre. In the account is currently is \$-243.24 with a total of 275.27 acres. Bill Waganor called and asked if we could dip this ditch. Since we are in the hole on this ditch. We would need to raise the maintenance to get more funds available. Seth stated, "We don't have to go all the way up to \$5.00 an acre we could do \$3.00 per acre. The written objection that we received has 11 acres. So if we went up \$3.00 instead of \$5 this landowner would only be paying an additional \$22. Kent Goods objections letter states, "Dear Fulton County Drainage Board, I do not consent for this change and I do not want to pay for something that does not benefit me in anyway. The complete 11.14 acres that you are talking about is covered with trees. So the subsurface water is being utilized by the trees. I do not have any tile on my property there is no way the surface water can run off my property. I did have a beautiful Pond thriving with fish and wildlife until the neighbor tiled their property. In closing I do not have a contract with the Drainage Board or Fulton County Corporation. With that being said I am not responsible for the maintenance being taken out that Fulton County is in control of." Commissioner Bryan Lewis made a motion to raise maintenance from \$1.00 per acre to \$3.00 per acre. Motion passed 3-0.

**RE: BIDS**

#550 Adam Grube – L.I. Excavating \$55,836.00

#550 Adam Grube- Lease Excavating \$59,000

#550 Adam Grube- Field Excavating **\$44,000- WINNER**

#550 Adam Grube- Beaver Excavating \$46,000

#636 Walsh O'Brien- Ingram Excavating \$44,000

#636 Walsh O'Brien – Beaver Excavating \$35,000

#636 Walsh O'Brien- Field Excavating **\$34,000- WINNER**

**Motion was made to approve bids from Field Excavating for both ditches. Motion passed 3-0.**

**RE: DRAINAGE 1717 S. 650E.**

Neighbor to the south is stating that the water from their pole barn is running onto their property. You cannot force your water onto someone else. Her man concern is that she does not want her horses to get flooded out. I'm guessing they received a building permit to go ahead and build this pole barn. We don't require drainage plans for country. So therefore we never would have received a drainage plan. Rick is surprised it passed for the building permit due to you can clearly see it being forced onto the neighbor. At this time there is nothing we can do since it has already been approved with building permit.

**RE: 6590 S. SUNSET BLVD**

Neighbors built a house and they have a pipe coming out of their house and they called Heather and said water is coming down by the road by my lane. There is some erosion and Courteney and Seth went out to look and see if the erosion was on her property. The pipe that looks like what is coming out of the house may be a sub pump. Jennifer Goff called in August to Heather and complained about this same issue. Seth believes this is a sub pump situation. Bryan Stated that Jennifer has already called him and he called John Guyer and Heather and talked to them. Seth stated, "We did not get a drainage plan submitted to us on the building." Seth said he

could paint and have Courteney video and catch the sub pump running out water. Seth is going to call Harrisons and speak with them again on the drainage.

**RE: WILLIAM GRAHAM #772 –HOLFAST ESTIMATE**

Seth presented an estimate on how much it would cost to do tile through Holfast property compared to open. It would be around \$25,000 just on 667 feet. That is also ripping up his trees. We were hoping as small as that is it would be like \$5 to \$6 bucks a foot. These goes back to Hollie, Can Seth force an open? Hollie stated, “She does not know she would have to look it up.” The tree removal cost would be on him, legally we should not have to replace the trees due to him planting trees on top the tile on our right away. Hollie is going to check and see if Seth can force this issue. Seth can ask George to file a petition and bring it to the board and then discuss which option we need to go with from there.

**RE: DRAINAGE PLAN FOR 2813 BARRETT RD**

Seth approves and has no issues with this drainage plan. Motion was made to pass this drainage plan. Approved 3-0.

**RE: DRONE COST ESTIMATE**

Approved 3-0

**MINUTES-** Approved 3-0.

**CLAIMS:**

Mike Kolesiak- never notified us when he was going out to clean ditch on #574 Luey. If Seth would have known he was going out there he would have had him do a couple more things while he was there. There is still a huge hole out there so we have to get something out there put in so it doesn’t hold water. To put something in there is that going to be at Mikes cost or at our cost? We do pay 85% right away but we retain 15% for instances like this. So we can ask him to come back and fix these issues and then pay him the 15% or if he does not want to come then we would keep the 15% retainage. Bryan says he can see the county paying for the extension but Mike should have contacted Seth to let him know when he would be doing the work. Seth said it should be add on, but for the pipes that are missing that expense would be on Mike.

- Hollie Short – Pifer – Lawyer payment \$750.00
- Zehner Excavating- James on 300 west \$3,000
- Postage- \$17.10
- Rochester Sentinel \$21.62 advertising
- Rochester Sentinel -\$22.32 advertising- Grube ditch
- Kolesiak \$7,140 Luey Open #574 only 85%
- Quill- \$9.34 – supplies
- Boynes Critter Control - \$300.00 Beaver remover #768 Little Yellow
- Card Member Services – Smith Farm Store Weather attire \$105.38

**ADJOURNMENT**

**FULTON COUNTY DRAINAGE BOARD**

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Surveyor

ATTEST: Lacey Holloway, Drainage Board Secretary

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