

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

The Fulton County Drainage Board met on Monday, February 8, 2016 in the Conference Room of the Fulton County Office Building at 9:15 A.M. The following people were in attendance: Vice-Chairman Bryan Lewis, Chairman Roger Rose, Surveyor Don Towne, Secretary Kasey Hensley, and Attorney Greg Heller. Commissioner Sherry Fulton was not in attendance.

RE: TERRY THORNBURG/PIKE LUMBER

Viridian Architectural Design Inc. representative Terry Thornburg addressed the Board regarding Pike Lumber's 25 year "Master Plan". On hand was Pike Lumber Vice-President of Operations Brian Schilling. Terry requested the Board allow Pike Lumber to encroach onto the Sears Tile 75' right of way. The Board discussed the request.

Chairman Roger Rose stated that Pike Lumber Co. provides a great benefit to Fulton County and thanked them for their business. Roger entertained a motion to reduce the 75' right of way on the Sears Tile to 15' on one side and 40' on the opposite, for the entire length of said Tile; also the Board will allow Pike to determine which side holds what footage. The motion was made, seconded and passed 2-0.

RE: #529 DAVIS & BECK TILE/CAUSE #13-1968 RECONSTRUCTION

The Davis & Beck Tile is ready to be certified. The northwest side of the road now has several feet of new 10" tile and a couple risers. Riprap was placed in a four foot perimeter around one of the risers to detour the cattle. The County Highway Department has scoped the tile running through the intersection, and it is working. Surveyor Don Towne stated everything is looking good and this time.

RE: FORM #96- PERFORMANCE BOND

Currently the Drainage Board requires Form #96 to be submitted for all bids of \$75,000.00 or more. The State of Indiana raised the requirement level to \$150,000.00. Surveyor Don Towne inquired if the Board wanted to raise the threshold amount or continue to use the base amount of \$75,000.00. The Board collectively decided to maintain the use of Form #96 for all bids of \$75,000.00 or more.

RE: BIDS- #820 SS COLLINS TILE & OPEN ARM #5/#621 CJ SPARKS TILE

The #820 SS Collins Tile & Open Arm #5 and #621 CJ Sparks Tile are both scheduled for a public hearings on Monday, March 14, 2016. Surveyor Don Towne requested bids be opened for both drains following the public hearing. Don stated the work would not begin until Wednesday, April 6, 2016 following the 21 day Judicial Review period. The request is based on the condition of the ground and deadline of the projects. This work needs to start as soon as possible and still allow for crops.

The Board agreed to allow bids to be opened following the public hearing on Monday, March 14, 2016. The awarded contractor will be notified following the Drainage Board meeting, but will not be given the green light to start until Wednesday, April 6, 2016.

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RE: #821 GEORGE WILSON OPEN/JOINT BOARD

The George Wilson Open runs through Fulton and Marshall County, it is also the outlet for Lake Maxinkuckee. A Joint Drainage Board will need to be established to place the Wilson Open on Maintenance. The project will encompass cleaning three arms, a subdivision, and Fulton County's portion of the Open as well as crossing into Marshall County. There are roughly 6,200 benefitted acres above the lake and 3,100 benefitted acres below the lake. Surveyor Don Towne estimated the Maintenance cost for landowners above Lake Maxinkuckee would pay \$4.00/benefitted acre with a \$10.00 minimum; landowners below Lake Maxinkuckee would pay \$9.00/benefitted acre with a \$10.00 minimum. The project is estimated at \$160,000.00.

The Joint Board will require two members from Fulton County, two members from Marshall County, and a fifth member who doesn't reside in either county. Chairman Roger Rose requested Don contact Pulaski County Council member Mike Tiede to be the fifth member. Following a brief discussion, Vice-Chairman Bryan Lewis and Roger agreed to sit on the Joint Board. The following motion was made, seconded and passed 2-0: To hold a Joint Board Meeting with Marshall County on Monday, March 14, 2016 at 10:30 a.m. to establish a Joint Board with Roger and Bryan, representing Fulton County.

RE: DRAINAGE LEINS

Vice-Chairman Bryan Lewis inquired about how to remove Reconstruction liens pertaining to parcels on tax sale. There was a brief discussion on the matter. Attorney Greg Heller stated the drainage statutes do not address Reconstruction liens. It was recommended that Bryan speak to Fulton County tax sale group SRI.

RE: CERTIFICATIONS

The Board signed the following certifications:

#529 Davis & Beck Tile, Cause #13-1968 in the amount of \$51,233.39

#818 Shriver-King Open Tile, Cause #1-2015 in the amount of \$8,987.69

RE: MAINTENANCE-#643 WILLIS YEAGLEY

Kosciusko County increased the Maintenance rate of the #643 Willis Yeagley Open to \$6.00/benefitted acre with a \$25.00 minimum. The Board acknowledged the increase.

RE: APPROVAL OF MINUTES

The Board was presented with minutes from the January 11, 2016 Drainage Board meeting. The motion was made to approve the minutes as presented. The motion was seconded and passed 2-0.

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CLAIMS

ADJOURNMENT

FULTON COUNTY DRAINAGE BOARD

Surveyor

ATTEST: Kasey Hensley, Drainage Board Secretary

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