

Wells County Drainage Board Minutes
Tuesday-January 19, 2021 8:30 A.M.

The Wells County Drainage Board met in a regular scheduled meeting at a onetime location, the Wells County Public Library, 200 West Washington Street, Parlor meeting Room, Bluffton, Indiana.

Drainage Board members present: Voting members Blake Gerber, Kevin Woodward, Tamara Robbins by Phone; Attorney Roy Johnson, Engineer Nate Rumschlag, Surveyor Jarrod Hahn, Secretary Diana Collins.

Determination of Quorum:

A quorum was present for the meeting.

Minutes:

Mr. Gerber opened the Drainage Board meeting with the first item on the agenda to approve the Board's regular meeting minutes on January 4, 2021.

Dr. Robbins motioned to approve the Drainage Board regular meeting minutes on January 4, 2021 as submitted. Mr. Woodward 2nd. Concurred by Mr. Gerber, motion carried 3-0.

2021 Extended Spray Contract Program-South:

Mr. Hahn mentioned that he received a letter from Chadd Baker of Right-Of-Way Management who wants to extend our contract for the 2021 spray program. Hahn noted that there is no increase in the cost this year to remain at .10 cents per foot. Hahn mentioned that the price is still very good and lower than most counties cost per foot and is very pleased with his services, therefore recommends extending the contract for 2021.

Dr. Robbins motioned to approve to extend the spray contract for 2021 at .10 cent per foot from Right-a-Way Management of Auburn Indiana as recommended. Mr. Woodward 2nd. Concurred by Mr. Gerber, motion carried 3-0.

Joint Bracht-Gerber Drain:

Mr. Hahn mentioned that Adams County who holds the jurisdiction on the Bracht-Gerber joint watershed has increased the maintenance assessment by 25 percent which is allowed by law IC 36-9-27-42 without holding a hearing. Hahn mentioned the increase is from \$1.60 to \$2.00 per acre and \$24.00 to \$25.00 minimum affects about 900 acres in Wells County. Hahn mentioned that a few landowners have called him wanting the ditch cleaned out and this increase will help achieve that.

Mr. Woodward motioned to approve the request from Adams County on the Joint Bracht-Gerber watershed to increase by 25 percent from \$1.60 to \$2.00 per acre and \$24.00 to \$25.00 minimum. Dr. Robbins 2nd. Concurred by Mr. Gerber, motion carried 3-0.

Geo. Bennett Tile Drain-Harrison Township:

Mr. Hahn mentioned the contractor will begin soon replacing Geo. Bennett tile in Harrison Township, section 29, range 12E south of 450S and east of 100E. Hahn noted the tile is on site to replace the existing 12-inch tile with 850 feet of 15-inch starting at the lower-end where it empties into the Neff open drain/watershed.

Pence-Colbert Open Drain- Harrison Township:

Mr. Hahn mentioned that a contractor is debrising approximately 1,500 feet and bottom dip approximately 6,000 feet of the Pence-Colbert open drain in Harrison Township, sections 14 and 23, range 12E in 450E and 300S.

2021 Legislature Bills:

Mr. Hahn highlighted on some legislative language from the House and Senate bills that may be important to the Board members as follows:

HB-1055 Watershed Development Commission. Watershed development commissions.

Provides that the executives of one or more counties may adopt ordinances designating their counties as members of a proposed watershed development commission and that the watershed development commission is established as a legal entity with the counties as its members if it is recognized by the natural resources commission.

SB-208 Right-of-way and thoroughfares. Prohibits a county from increasing the apparent right-of-way for a county highway by requiring a dedication of additional right-of-way as part of a subdivision plat and requires the county to acquire additional right-of-way through eminent domain.

SB-38 Adverse possession statute of limitations. Amends the statute concerning the statute of limitations for actions for the recovery of the possession of real estate to provide that such an action that: (1) involves a line located and established by a professional surveyor; and (2) accrues before the lines are located and established by the surveyor; must be commenced before the expiration of the appeal period set forth in the statute governing county surveyors.

Continued January 19, 2021

SB-389 Repeals state regulated wetlands law. Repeals the law requiring a permit from the department of environmental management for wetland activity in a state regulated wetland. Makes corresponding changes to eliminate references to that law. States that the repeal of that law is not intended to affect: (1) the regulation in Indiana under the federal Clean Water Act of the discharge of dredged or fill material into waters of the United States; or (2) the authorization of the state of Indiana to administer the National Pollutant Discharge Elimination System permit program.

SB-419 Septic systems, wells, and regulated drains. Provides that a fee simple interest in: (1) a dwelling connected to a residential onsite sewage system; (2) a nondwelling structure connected to a commercial onsite sewage system; or (3) a tract of land containing a water well in addition to a residential or commercial onsite sewage system; cannot be transferred unless the onsite sewage system is inspected by a qualified inspector and water from the water well is tested by a qualified tester, the test results are provided to the local health department, the county recorder, and the person to whom the fee Septic systems, wells, and regulated drains.

Valentine Joint Drain and Simmerman Joint Drain
Jefferson Township-Allen County Jurisdiction:

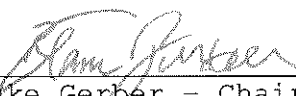
Mr. Hahn made note the Allen County Surveyor's office who has scheduled the Valentine Joint and Simmerman joint hearings set for Thursday-February 11, 2021 at 10:30 a.m.

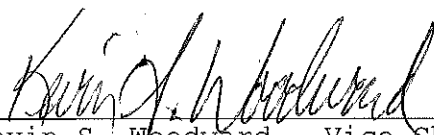
Mr. Hahn along with all Drainage Board members wish to thank Dr. Tammy Robbins in her dedication of serving Wells County and wish her the best in her new endeavors as she will be missed by all.

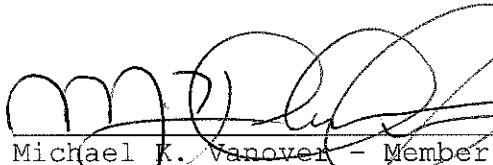
Adjournment:

Dr. Robbins motioned to adjourn the Drainage Board meeting at 8:53 a.m. Mr. Woodward 2nd. Concurred by Mr. Gerber, motion carried 3-0.

Next regular scheduled Drainage Board meeting is Monday-February 1, 2021 at 8:30 a.m.


 Blake Gerber - Chairman


 Kevin S. Woodward - Vice Chairman


 Michael K. Vanover - Member
 WELLS COUNTY DRAINAGE BOARD

ATTEST: 
 Diana L. Collins
 WELLS DRAINAGE BOARD SECRETARY