

Wells County Drainage Board Minutes  
Monday - July 20, 2020 8:30 A.M.

The Wells County Drainage Board met in a regular scheduled meeting at the Wells Carnegie Government Annex, 223W. Washington St., Multi-Purpose Room 105, (Lower Level), Bluffton, Indiana.

Drainage Board members present: Voting members Blake Gerber, Kevin Woodward, Tamara Robbins; 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 July 6, 2020.

Mr. Woodward motioned to approve the Drainage Board regular meeting minutes on July 6, 2020 as submitted. Dr. Robbins 2<sup>nd</sup>. Concurred by Mr. Gerber, motion carried 3-0.

Apple-Jack Open Drain-Lancaster Township:

Mr. Hahn mentioned that landowners Todd and Julie Rupp of Lancaster Township, section 23, range 12E is requesting to be in the easement of the Apple-Jack Open drain to put in a Solar Panel Ray 40-feet x 60-feet structure. Hahn noted he did not receive the signed documents as yet but the fee of \$150.00 has been paid. Hahn presented a detailed map of the area and recommends approving of the easement pending proper documents are received, therefore allowing the structure to be in the easement no closer than 25 feet from the top of bank of the Apple-Jack open drain. Drainage Board Attorney Roy Johnson has prepared the documents to be signed by the Drainage Board members then to be recorded in the Recorder's office.

Dr. Robbins motioned to approve Todd and Julie Rupp of Lancaster Township, section 23, range 12E pending proper documents is received requesting to be in the easement of the Apple-Jack Open drain to put in a Solar Panel Ray 40-feet x 60-feet structure and to be no closer than 25 feet from the top of bank as recommended. Mr. Woodward 2<sup>nd</sup>. Concurred by Mr. Gerber, motion carried 3-0.

Utility Easement-Citizen Telephone Corp. Mt Zion Project in Chester and Jackson Townships:

Mr. Hahn mentioned he has received Citizen Telephone Corp. utility consent easement form on the Mt Zion and Morris tile drains in Chester Township, section 6 range 11E and Jackson Township, section 1, range 10E for the Mt Zion project. Hahn noted the easement will be to encase fiber in existing line and bore across 600W south of State Road 218 in the Mt Zion and Morris tile drain easement. Hahn provided a detailed map and noted the County Highway has given their permission to be in the road right-of-way. Hahn noted that all fees have been paid, therefore recommends approving Citizen Telephone Corp. to incase fiber and bore in the easement on the mentioned drains. Wells County Attorney Roy Johnson has prepared the documents to be signed by the Drainage Board members then to be recorded in the Recorder's office.

Dr. Robbins motioned to approve Citizen Telephone Corp to incase fiber and bore in the easement of the Mt Zion and Morris tile in Chester Township, section 6 range 11E and Jackson Township, section 1, range 10E for the Mt Zion project. as recommended. Mr. Woodward 2<sup>nd</sup>. Concurred by Mr. Gerber, motion carried 3-0.

McNeal Prong 1 Tile Drain-Harrison Township:

Mr. Hahn mentioned that landowners David E. and Eva M. Welch of Jefferson Township, section 10, range 12E is requesting to be in the easement of the McNeal Prong 1 tile drain to put in a pole barn structure. Hahn presented the documents and detailed map of the area. Hahn noted the recording fee has been paid, therefore recommends to the Board allowing the structure to be in the easement no closer than 25 feet from the top of bank of the McNeal Prong 1 tile drain. Drainage Board Attorney Roy Johnson has prepared the documents to be signed by the Drainage Board members then to be recorded in the Recorder's office.

Dr. Robbins motioned to approve David E. and Eva M. Welch of Jefferson Township, section 10, range to be in the easement of the McNeal Prong 1 tile drain for a pole barn structure to be no closer than 25 feet from the top of bank as recommended. Mr. Woodward 2<sup>nd</sup>. Concurred by Mr. Gerber, motion carried 3-0.

Maple Creek West Branch Tile Drain-Lancaster Township:

Mr. Hahn mentioned that Doug Nash has filed a petition to vacate 300 feet the very upper end of Maple Creek West Branch 12-inch tile drain in Lancaster Township, section 12, range 12E on 400N and east of 500E area. Hahn noted that Mr. Nash has a total of 75 acres with approximately 15 affected acres. Hahn mentioned that the tile to the south was taken directly to the Maple Creek West Branch open drain on the south side of 400N, so the north half has been cut off. Provided is a detail map of the area and affected property.

Attorney Roy Johnson mentioned according to IC 36-9-34(d) and IC 36-9-27-37 that there will need to be a public hearing to vacate affected land and the procedure, we do not need to send a notice to Mr. Nash of his petition to vacate the drain. Hahn noted that Mr. Nash is the only landowner affected at the upper-end that is affected by the Maple Creek West Branch 12-inch tile drain. Hahn mentioned that the landowner wants to build a home. Hahn noted that a fixed time and date will need to be made for a hearing to vacate. Mr. Hahn will notify Area Plan office so a building permit can be issued to Mr. Nash.

Dr. Robbins motioned to hold a hearing to vacate a portion of the Maple Creek West Branch Tile Drain on September 8, 2020 at 8:30 a.m. Mr. Woodward 2<sup>nd</sup>. Concurred by Mr. Gerber, motion carried 3-0.

AIC Conference 2020 is a Virtual Conference:

Mr. Hahn mentioned the AIC conference is going to be a virtual conference in September 2020.

Valentine Joint Drain-Jefferson Township-Allen County Jurisdiction:

Simmerman Joint Drain-Jefferson Township-Allen County Jurisdiction:

Mr. Hahn mentioned the Allen County Surveyor's office has sent out an email of the tentative date set for the Valentine and the Simmerman Joint Hearings for September 24, 2020 at 10:30 am to establish watershed maintenance assessment.

Project Update:

Risley-Smith Continue Tile Replacement-Harrison Township:

Mr. Hahn mentioned that a contractor has started to continue replacing the Risley-Smith tile in Harrison Township, section 19, range 13E east of 600E and north of 400S. Hahn noted in 2002 the maintenance was raised at the request of the affected landowners to replace the current tile as funds became available. Hahn believes that this is phase 4 and the contractor will replace the 20-inch and 22-inch with 1280 feet of 24-inch tile.

Liberty Tile Drain-Liberty Township:

Mr. Hahn mentioned that a contractor has begun replacing the Liberty tile drain with a 30-inch in Liberty Township, section 15, range 11E down the alleyway east of 300W and north of 300S in the Town of Liberty Center, and stopping on the east side of 300W. Hahn noted the contractor is replacing a 12-inch with 110 feet of 36-inch, and 530 feet of 30-inch tile. Hahn also found 3 side-by-side 8-inch tiles system down the alley. Hahn wished to thank the Well County Highway Department for hauling out the 2003 flood sandbags for fill and hauling dirt away from the alleyway back to the highway department, and if all goes well the contractor should finish up this week.

Bunn Tile Projects-Jefferson Township:

Mr. Hahn mentioned the replacement of the Bunn 36-inch tile drain is almost installed in Jefferson Township, section 15, range 12E in preparation of the new Crosswind Lakes Subdivision development. Hahn mentioned that a couple of prongs will be installed to finish up the storm outlets.

Bee Creek Development LLP/Wells Co Drainage Board-  
Agreement for Termination of Escrow Agreement:

Hahn mentioned that Attorney Roy Johnson has sent out the Agreement for Termination of Escrow Agreement form for all to view between the Bee Creek Development LLP-The Bridges Subdivision, Ossian Bank and Wells Co Drainage Board. The Bee Creek Development LLP-The Bridges Subdivision and Wells Co Drainage Board enter an Escrow agreement in 2012 that included funds that will be released to pay the contractor as he gets closer to completion. Hahn noted the contractor should finish up in a couple of weeks, then the Drainage Board president to sign off on the release document form when the contractor completes rerouting the Summers Prong tile project in Jefferson township, section 15, range 12E.

Dr. Robbins motioned to approve the Agreement for Termination of Escrow Agreement for all Board members to sign, and for President Blake Gerber to sign on-behalf of the board members to release funds when contractor has completed rerouting the Summers tile project. Mr. Woodward 2<sup>nd</sup>. Concurred by Mr. Gerber, motion carried 3-0.

Storm Drainage in Rural Areas:


Mr. Rumschlag noted he was questioned by citizens in the Town of Murray public hearing, "why the tiles are not a regulated drain in town" and wondered if the Board members have been questioned about this too. The Board members said they had not. Rumschlag mentioned that he answered the questions on the process from a mutual drain to a regulated drain and the road rights-of-way. Mr. Hahn made mention to the Board members to think about as rural area become sub-divided for development like housing additions, subdivisions or villas and are not in the City's limits or in a right-of-way that the stormwater tiles from development will need to address the issue of ownership to maintain, whether to petition it being the county or association for funds for maintenance or upkeep. Mr. Rumschlag expressed that he agreed of the concern as well.

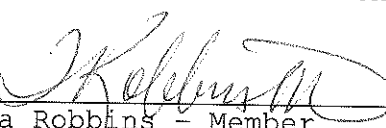
Adjournment:

Dr. Robbins motioned to adjourn the Drainage Board meeting at 8:59 a.m. Mr. Woodward 2<sup>nd</sup>. Concurred by Mr. Gerber, motion carried 3-0.

Next regular scheduled Drainage Board meeting is Monday-August 3, 2020 at 8:30 a.m.

  
Blake Gerber - Chairman

  
Kevin S. Woodward - Vice Chairman

  
Tamara Robbins - Member  
WELLS COUNTY DRAINAGE BOARD

ATTEST:   
Diana L. Collins  
WELLS DRAINAGE BOARD SECRETARY