

CASS COUNTY DRAINAGE BOARD MEETING

July 5, 2011

The Cass County Drainage Board held their regular scheduled meeting July 5, 2011 at 2:30 p.m. in room 203 of the Cass County Government Building. Those in attendance were members: Dave Arnold, Jim Sailors , Attorney John Hillis, Surveyor Jenny Clark, and Secretary Becky Tocco. Gene Powlen was absent.

Dave Arnold called the meeting to order.

Jim Sailors made a motion to approve the minutes for June 6, 2011. Dave Arnold seconded; motion passed.

Jim Sailors made a motion to approve the minutes for the continuance of Ruble Vs Landis, Clem. Dave Arnold seconded; motion passed.

Jim Sailors made a motion to approve the minutes for Public Hearing #12 Henderson Tile on June 6, 2011. Dave Arnold seconded; motion passed.

EXPENSE CLAIMS

CCS – 0724 #68 Lutz Wendling Davis for \$54.94; (\$24,905.18) in maintenance fund
CCS – 0725 #9 Hollenback Crawford for \$533.98; \$482.51 in maintenance fund

Jim Sailors made a motion to approve all claims. Dave Arnold seconded; motion passed.

OLD BUSINESS

- A. Conwell Moss – Joint Board with Howard County; Jackson Township, Cass County
Meeting set for July 12, 2011 needs to be rescheduled; Jenny will call Greg Lake to take care of it.
- B. #84 Updegraph Open #2 – Jackson, Tipton and Washington Townships
Work order #1:
Marion Apple wanted part of ditch dredged to open up tile outlet. Jenny looked at the area; digging out the ditch now would make the water become stagnant, banks are in corn now. We will look at the rest of the ditch and report on this later.

NEW BUSINESS

A. Grable Tile #4 – Adams Township

Raymon Hoover brought in paid invoices in the amount of \$925.22 from Ulerick & Bruntlett from some tile repair last month that he wants reimbursed for. He was told we would bring it before the board today and that in the future he needs to submit a work order to Jenny and the board before any work would be approved. Commissioners denied the claim; no repayment.

B. Public Hearings

1. July 5, 2011 @ 3:00 – Strubhar Open #73, Boone Township
2. July 5, 2011 @ 3:00 – Lutz Davis Wendling Open #68, Jackson & Tipton Townships
3. August 1, 2011 @ 3:00 – Jesse Martin Open #42, Tipton & Washington Townships
4. September 6, 2011 @ 3:00 – Noah Simmons Tile #112, Adams & Bethlehem Townships

C. Work Orders

#4 – Shackleford Open & Tile #123

Julie Hildebrandt, NW corner of 200N & 450 E, had Ed Waters look along 200 N for tile holes. He found several that needed repair. The current fund balance is (\$11,063.73). Commissioners requested Jenny get an estimate from Ed Waters and then we will decide how and when to fix them.

#5 – Conn #62

Howard Goodrich has tree roots that need dug out; he has already had Tom Blackman start work on it and is almost ½ done. He was also told that from now on he needs to call / submit a work order to be approved by Jenny and the board before work can be done. The current fund balance is \$90,201.79. When we receive the bill we will decide whether or not to pay it.

D. Willow Brook Ranch Subdivision – Jackson Township

Marion Pullen has been dumping debris into the ditch at the intersection of 1000 East & 1225 South. This is causing major water problems for the immediate, adjacent landowners. This is not on one of our assessed ditches. Jenny sent a letter to Mr. Pullen asking him to stop the dumping and clean out the ditch and culvert. He called this morning and asked if Jenny and the Commissioners could have a meeting with him about it. It was decided that he be requested to attend the next month's Drainage Board meeting to discuss it.

PUBLIC COMMENTS

Jim Jackson, 3627 N St Rd 25, Logansport, on Lairy Tile #104; east of his property (between 300 N & 350 N off of St Rd 25) is a problem with water that is worse than normal.

Josh Heyob, 3764 N St Rd 25, Logansport, on the same ditch says that 75' south of the fencing on his property is marshy and the pasture floods.

Bob Persinger, 3667 N St Rd 25, Logansport, also says that the water has never been like this in over 30 years.

Gary Myers, 3794 N St Rd 25, Logansport, he put tile under his racetrack that has drained for 40 years with no problems before this.

Armin Kluge, 1804 E CR 350 N, Logansport, stated the tile goes north from him to under St Rd 25 to Jim Jackson; says there are two different tiles.

There is a tile plugged at 300 N and St Rd 25 at Phyllis Pickens's property. After the July 4th weekend if there isn't too much rain, Blackman's are going to start working on it. The county highway department will replace the culvert at 300N.

ADJOURNMENT

Jim Sailors made a motion to adjourn; Dave Arnold seconded; motion passed.

David S Arnold, President

Rebecca Tocco, Secretary

PUBLIC HEARING - #68 Lutz Davis Wendling Open
Jackson & Tipton Townships

The Cass County Drainage Board held a public hearing for the Lutz Davis Wendling Open #68 on July 5, 2011 at 3:09 p.m. in room 203 of the Cass County Government Building. Those in attendance were members: Dave Arnold, Jim Sailors, Attorney John Hillis, Surveyor, Jenny Clark and Secretary Becky Tocco. Gene Powlen was absent.

Dave Arnold called the meeting to order.

SURVEYOR'S REPORT

The purpose of this hearing is to increase the assessment to \$5.00 in order to repay the borrowed amount from the General Drain Improvement fund in the amount of \$21,458.18 and to provide for future maintenance as necessary. The proposed assessment is \$5.00 per acre with a \$5.00 minimum. There are 2,941.58 acres in the watershed.

WRITTEN OBJECTIONS or COMMENTS FILED

Judith and Charles Smelser Jr
Ted Beckley
Carl Shipp
Brian and Christina Roller

PUBLIC COMMENTS

Tom Wilson, 3345 E 1300 S, Galveston, asked where did the money in the account go; why are we so much in debt? Jenny briefed him on claims since 2004.

Charles Wilson, 7561 E 1150 S, Galveston, had concerns about some recent digging. He reported how he and several landowners paid to have a 2 mile stretch of ditch cleaned out. He also requested to see all of the ditch's records.

Carl Shipp, 7358 E 625 S, Galveston, stated that the proposed amount isn't the problem; it won't ever be enough to be fixed because of the surface runoff water on his land.

Robert Kitchell requested that a 20 acre parcel of his be removed from the watershed as it drains to the east and north into the Updegraph Open #84.

Jim Sailors made a motion to remove the 20 acres and add it to Updegraph Open #84. Dave Arnold seconded. Motion passed.

ACTIONS OF THE BOARD

Jim Sailors moved to approve the proposed rate of \$5.00 / acre and \$5 minimum. Dave Arnold seconded. Motion carried.

Jim Sailors motioned to adopt the Surveyor's Maintenance Report; Dave Arnold seconded. Motion carried.

Jim Sailors motioned to adopt the Schedule of Assessments for Periodic Maintenance as amended; Dave Arnold seconded. Motion carried.

COLLECTION DATE FOR FIRST INSTALLMENT FOR ASSESSMENT

The first collection will be due with Spring tax installment in 2012.

Jim Sailors motioned to set the proposed date, Dave Arnold seconded. Motion carried.

There being no other business, Dave Arnold motioned, and Jim Sailors seconded to adjourn. Motion carried.

Dave S Arnold, President

Rebecca Tocco, Secretary