

# Henry County Drainage Board

Henry County Office Building  
1201 Race Street, Suite 216  
New Castle, Indiana 47362  
765.529.4802

Joel Magiera-Chair  
Donald Cross-Vice Chair  
Stephen L. Rust-Surveyor  
Elizabeth A. Willey-Drainage Board Secretary

Ed Yanos-Commissioner  
Paula Chapman-Member  
Randy Maloyed-Member

The Henry County Drainage Board met Wednesday, February 8, 2017 at 9:00 a.m. in Suite 117 of the Henry County Office Building, 1201 Race Street, New Castle, Indiana 47362, with the following members present: Joel Magiera, Chair, Paula Chapman, Member, Randy Maloyed, Member, Ed Yanos, Commissioner, Stephen Rust, Surveyor, Joe Copeland, County Engineer, Elizabeth A. Willey, Drainage Board Secretary and Bruce Atkinson, GIS Administrator.

Public Presence: Josh Shaw, mechanical engineer and representative of FPBH an engineering company representing RDC/EDC and Micronutrients Corporation.

The meeting was called to order by Joel Magiera, Chairman.

The minutes were presented to the board for corrections and/or approval. Mr. Yanos made a motion to approve the minutes as presented. Ms. Chapman seconded the motion. Motion carried.

The following claims were presented to the board for approval:

## **#2700 Drainage Maintenance Fund:**

### **Pritchett Point LLC:**

#548 JH Thompson	#633	Proposal #1613 pipe supplies - Chapman	343.60
#537 FW Murray	#632	Investigative Dig – pipe supplies –Thornburg	213.00

### **Courier Times**

#571 Firman Jessup	#60816332	legal hearing advertisement	29.42
#550 Herbert VanWinkle	#60816347	legal hearing advertisement	34.24

### **Rush County Surveyor**

#575 Walter B. Hill		Fall Settlement	3,201.72
#583 Edward Jackson		Fall Settlement	426.00

### **Madison County Drainage Board**

#73 Alonzo Fort		Spring/Fall Settlement	814.80
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### **Elizabeth A. Willey**

#518 Nathan Foster		Reimbursement for certified letter / York	6.59
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Mr. Yanos made the motion to approve the claims for payment as presented. Mr. Cross seconded the motion. Motion carried.

**2017 ANNUAL CONTRACTOR'S BIDS:**

Mr. Mageria opened the advertised 2017 annual contractor's bid packets. The board received bids from the following contractors: Pritchett Backhoe, Fred's Excavating, Powell's Excavating, Crossroad Excavating and Drainage Construction. Mr. Yanos made the motion to table any decision on the bids until Mr. Rust had the opportunity to review each packet to guarantee that all specification were included in the packets. Mr. Maloyed seconded the motion. Motion carried.

**#518 NATHAN FOSTER LEGAL DRAIN:**

Mr. Rust reported to the board the updates on the Michael and Cheryl York septic issues which required signatures on the Hold Harmless Forms. Mr. Rust advised the board that the York's had retained Mr. Lansinger as their attorney whom will be reviewing the form prior to their signature.

Mr. Mageria made the motion to recess the scheduled board meeting and proceed with the advertised #550 Herbert Van Winkle Legal Hearing. Mr. Maloyed seconded the motion. Motion carried.

**#550 HERBERT VAN WINKLE LEGAL HEARING:**

The Classification and Maintenance reports were provided to the board at the January meeting. Mr. Rust provided the board with his periodic report. There are 83 parcels which will be assessed, 25 which will be assessed at the minimum rate with an annual estimated income of \$8,663.08. The current Fund balance is \$20,350.25. 54 letters were mailed to landowners on January 10, 2017 and legal advertisement was done with the Courier Times on January 27, 2017. There were no objections letters provided as per state statute and there was no one present at the meeting to express objection to the extension or change in assessment rates.

With no inquiries or objections to come before the board Mr. Yanos moved to increase the assessment rate and re-establish the boundary of the #550 Herbert Van Winkle Watershed. Mr. Cross seconded the motion. Motion carried.

Mr. Maloyed made the motion to adjourn the Legal hearing. Mr. Cross seconded the motion. Motion carried.

Mr. Mageria called the regular scheduled meeting back to order.

**#580 MOORE AND BLACK LEGAL DRAIN - BROOKS DRIVE EXTENSTION PROJECT - MICRONUTRIENTS:**

Josh D. Shaw, a representative for FPBH Inc presented the board with the updates and requested variances for the Brooks Drive Extension project (RDC/EDC & Micronutrients) #1. Henry County Ordinance requires fountains in wet ponds for aeration. FPBH requests that they be allow to not install a fountain. #2. Henry County Ordinance requires a well or water service (hydrant) to maintain water levels during dry periods. FPBH advised the board that they do not plan on installing a hydrant or wells for maintaining water levels. #3. Henry County Ordinance does not allow ADS N12 pipe. FPBH advised the board they plan to allow/spec ADS N12 pipe everywhere on the project except where pipes are crossing roadways. #4. Henry County Ordinance requires means of additional draining possibilities, as needed to allow surrounding developments to be able to drain to it. FPBH advises the board the use of valves to drain the pond is not feasible. Future draining (if ever needed) will have to be done with a pump. The board approved FPBH's variance request for items #2 through #4 and instructed Mr. Rust and Mr. Copeland to review and follow up with negotiations and recommendations on behalf of the board for Item #1.

**CROSSROAD EXCAVATING AND CONSTRUCTION:**

Mr. Rust advised the board that Culy's Excavating was operating under new management and that Eric Hall manager for Culy's Excavating had gone into business under the name of Crossroads Excavating and Construction.

**#572 ED HEACOCK LEGAL DRAIN - TRI HIGH PROJECT:**

Mr. Rust updated the board with plans for a new soft ball diamond at Tri High School. Mr. Rust reported to the board that the plans called for the diamond to be constructed within the county Legal drain. Mr. Rust will be working with MacDougall Pierce engineers to make the project successful.

Mr. Rust advised the board that he and Mr. Yanos would not be present at the next scheduled meeting because they would both be attending the AICC Road School Conference and asked that the other board members attempt to have a quorum to hear the next legal hearing, #565 Thomas Kerr Legal Drain.

Mr. Rust provided the board with the classification and maintenance reports for the #565 Thomas Kerr legal hearing and advised the board the hearing had been advertised for the March 8, 2017 scheduled meeting.

With no other business to come before the board and no public comments, Mr. Maloyed made the motion to adjourn the meeting. Mr. Cross seconded the motion. Motion Carried. Meeting adjourned.

Dated this 8th day of February 2017.

**Henry County Drainage Board**

\_\_\_\_\_  
Joel Magiera-Chair

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Donald Cross – Vice Chair

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Ed Yanos – Commissioner

\_\_\_\_\_  
Paula Chapman-Member

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Randy Maloyed – Member

Attest:\_\_\_\_\_  
Stephen L. Rust, Surveyor