

Drainage Board  
January 6, 2009 – 11:30 am

Meeting called to order by Auditor Shelton. Members Logsdon, Rininger, Gogel, Surveyor Herron, and Attorney Robinson were present.

Shelton asked for a nomination for President of the Drainage Board. Gogel nominated Logsdon. Rininger seconded. All in favor. Logsdon assumed control of the meeting.

Minutes

12/01/2008 minutes; Rininger made a motion to approve the minutes. Gogel seconded. All in favor.

Request for Permission to Build

Joe Atchinson and Reverend Carr, representing the Free Zion Baptist Church, were present to request permission to locate a perimeter drain within 75 feet of a legal drain. Sanitation Officer Stallings explained that Free Zion Baptist Church would like to build a church on the property north of the former 3-J building and East of South Spencer High School. The church was denied access to the Rockport Sewer and would need to have a flood dose septic system with a perimeter drain. Universal Design is the engineer for the project and they will handle getting the needed approval from the State Board of Health.

Robinson asked if the building itself would be located within the 75 foot easement. Atchison stated that it would be 60 feet from the drain.

Robinson stated that permission can be given by the board if the Health department approves of the system, but there may be a concern with how the ditch will be cleaned in the future. Herron stated that the ditch can be cleaned from the opposite side. Logsdon asked if the church would agree to keep the ditch sprayed to prevent growth of trees. Atchison said they would. Herron stated that in his opinion the church will not cause any problems.

Rininger made a motion to allow Free Zion Baptist Church to have a perimeter drain which would drain surface water into the legal drain, to build a structure 60 feet from the legal drain, and to have a septic field within the 75 foot easement of the legal drain. Gogel seconded. All in favor.

Drainage Advisory Board

Logsdon gave the following report of Drainage Advisory Board:

The following were in attendance: Kirby Youngblood, Jimmy Boyd, Bob Reinke, Paul Giles, Stanley Herron, Bill Spaetti, Jim Ebert, Charles Waninger, George Lynam, Phil Schmidt, Chuck Painter, Dennis Fueger

The financial report per completed projects was provided by Logsdon:

DRAIN	CONTRACTOR	BID	FINAL COST
Tower Drain # 1	K & K Dirtworks	\$10,100	10,100.00
Tower Drain # 2	Herron Excavating	\$11,650	11,650.00
Tower Drain # 3	Herron Excavating	\$ 7,500	7,500.00
David Walters	Youngblood Farms	\$ 3,015	3,015.00
David Walters Trib	Youngblood Farms	\$ 1,650	1,650.00
Big Sandy # 1	K & K Dirtworks	\$ 4,500	4,500.00
Big Sandy # 2	K & K Dirtworks	\$23,500	23,500.00
Big Sandy # 3	K & K Dirtworks	\$ 9,800	9,800.00
Crooked Creek	K & K Dirtworks	\$ 8,860	8,860.00
Robert Hatfield	K & K Dirtworks	\$ 14,074.99	14,074.99
<b>TOTAL</b>			<b>\$97,539.99</b>

**Miscellaneous Expenses Reported for the above projects:**

DNR Permits	200.00
Legal Expenses for Mr. Robinson	165.00
Fuel Surcharge for Herron Excavating	2,607.24

**Total Miscellaneous Expenses** **\$2,972.24**

**Total Funds Expended** **\$100,512.23**

**Uncompleted projects as of January 1, 2009**

Cooked Creek Project – Advanced Services	995.00
Spraying Completed Projects- Tower, David Walters, Hatfield Drains	2,500.00

<b>Total Funds Necessary to Pay for these projects</b>	<b>\$3,495.00</b>
--	-------------------

<b>Total of Funds spent and committed to projects</b>	<b>\$104,007.23</b>
---	---------------------

In 2006-7 the Drainage Board requested that the Spencer County Council provide **\$115,000.00** to initiate this special project designed to improve the infrastructure of drains and roads across the county. In 2008 the Council was requested to appropriate an additional **\$19,000.00** to provide funding for anticipated projects. Due to several factors this amount was not utilized and a balance of **\$33,487.77** remains in the account created to fund the drainage projects. As noted above there are uncompleted projects that will cost **\$3,495.00**. This leaves a working balance of **\$29,992.77** as of January 1, 2009.

Extensive discussion was held per the projects that need to be selected for the coming year. The group reached consensus that the work be completed on the following drains: Lake Drain, Pigeon Creek, Anderson River, Crooked Creek and Garrett Creek. Mr. Herron was requested to meet with the Warrick County Surveyor and determine if they would be able to assist on a 50-50 basis for work to be completed on Pigeon Creek.

It is understood by the drainage advisory group that the following financial estimates for projects to alleviate current drainage situations are not accurate predictions of the total cost that will or may be incurred.

Funds are requested for work on the following drains:

Anderson River	\$ 20,000.00
Lake Drain	\$ 25,000.00
Crooked Creek	\$ 20,000.00
Pigeon Creek	\$ 25,000.00
Garrett Creek	\$ 25,000.00
<b>Total Requested</b>	<b>\$115,000.00</b>

With a current working balance of \$29,992.77, the council is requested to consider approval of appropriations during the 2009 year in the amount of \$84,007.23.

Logsdon expressed appreciation for the support and guidance of all advisory board members who give of their time and talent to make this special project one that benefits all of Spencer County. On behalf of the advisory board, Logsdon expresses appreciation to Council Members for making funds available for the projects listed above and considering the request for additional funds.

There was one correction regarding the working balance as of January 1, 2009. At the end of 2008 the balance reverts back to the Rainy Day Fund, so funds will need to be re-appropriated for 2009. Gogel made a motion to request an additional of \$50,000 from the Rainy Day Fund to continue the drain work in the county. Rininger seconded. All in favor.

Surveyor Report

Lake Drain - Herron stated that he has staked off Lake Drain, began work on the bid specs and started obtaining property owner signatures.

Pigeon Creek – Herron stated that there are several bad log jams on Pigeon Creek and he is working with Warrick County on the project.

Herron stated that he would like to get as much done as possible before planting season.

Logsdon directed Herron to draw up specs on Lake Drain and contact Robinson about the forms needed. He further asked Herron to keep the board informed on Pigeon Creek.

Surveyor’s Vehicle

Herron discussed the poor condition of the truck used in the past by the Surveyor. He stated that he is willing to drive his personal vehicle, provide his own fuel, insurance and maintenance for \$400 per month or \$4,800 for the year. Robinson stated that he would need to make sure his truck is properly insured. Logsdon asked what would happen if an accident occurred during a project and he was at fault. Robinson said it might be covered under the county’s liability insurance. Gogel asked if the State Board of Accounts will force the county to pay mileage. Shelton stated she can check with the SBA.

Drainage Board Meeting 01/06/2009 cont.

Anderson River

Logsdon reported that Perry County does not have the funds to help the county with the cleaning of Anderson River. Discussions are being had about having a meeting with all of the land owners on both sides of the Anderson River.

Office Help

Herron discussed having Elaine Jones, who is the Plan Commission deputy, help with his office also. The details will need to be worked out.

Attorney Appointment

Robinson presented the board with his application to be retained as Drainage Board Attorney. Rininger made a motion to retain Robinson as attorney. Gogel seconded. All in favor.

Rininger made a motion to adjourn. Gogel seconded. All in favor. The meeting was adjourned at 12:22 pm.

Drainage Board,

\_\_\_\_\_  
President

Attest:

\_\_\_\_\_  
Cindy Shelton, Auditor

---

---