

## DRAINAGE BOARD MEETING

October 3<sup>rd</sup>, 2016

The Rush County Drainage Board met in the Commissioner's room of the Rush County courthouse on October 3, 2016 at 11:30 A.M. with the following present: Mark Bacon, Bruce W. Levi, members; Leigh Morning, Board Attorney; Marvin L. Rees, Surveyors, Linda Ashwill, secretary. Paul Wilkinson was absent.

Minutes of the previous meeting were approved and signed by motion of Levi and 2<sup>nd</sup> by Bacon.

### MUTUAL DRAIN-BILL PIKE

Surveyor stated all problems on this tile or drainage were not intentional and were caused by nature – tree roots causing blockages. He stated Mrs. Shelton who lives at 4487 E US 52 New Salem had been very helpful with him accessing the problems. Mrs. Shelton was in attendance and stated she had married into this problem in 1966 and there was a drainage problem with the field adjacent to her property even at that time and she just wanted the problem fixed and over and done with. A petition was presented by five (5) neighboring properties stating her property was causing the water problem (drainage). She contracted the Methodist Church and they stated the drainage from her property was causing their gutters to overflow or bubble up. She thinks their gutters where connected to the tile & needed to just be disconnected and laid on the ground to drain. John Rathburn had work on this tile around 15 years ago. Rees stated to turn this into a County drain the landowners would need to file a petition which even one landowner could initiate. As long as 51% agreed this could be made a regulated County drain. There would be assessments to the property owners that adjoined this drain. Mrs. Shelton was wondering about liability if made a County drain of the workers. She was told all contractors that work for the County would have their own insurance. The liability would be on them. Marvin recommended that all who benefited from the drain to pay costs of the repairs at this time. Marvin will get assessments or costs of the work done to give to Board at the next meeting. Rees recommends the cost of removing these blockages be paid by all who benefit from the tile. Levi made a motion to close the hearing, 2<sup>nd</sup> by Bacon. Motion carried.

### CARR/STANLEY TILE

CSX Railroad said this is actually two projects that need permits with the Railroad. County has Certificates of Insurance and will proceed with getting permit with the CSX Railroad to take elevation shots on their right-of-way. After the permits is applied for the RR will inform us of the cost. Surveyor will let the Board know later of this cost.

### SMITH MUTUAL DRAIN

Mr. Loggan called Marvin this morning at 9:30 and told him this problem had been taken care of. Marvin will check this out today.

With nothing further to bring before the Board motion was made by Levi to adjourn and 2<sup>nd</sup> by Bacon.

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Mark Bacon

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Bruce W. Levi