

**DRAINAGE BOARD MEETING**

**MAY 13, 2019**

The Rush County Drainage Board met in the Commissioner’s Room of the Courthouse on May 13, 2019 at 10:20 a.m. with the following present: Mark Bacon, Paul Wilkinson, Bruce W. Levi, members; Leigh Morning, Board Attorney; Marvin L. Rees, Surveyor; Shelle Hendrix, Secretary. Warren Norris, Councilman and several landowners were also in attendance.

A motion was made by Wilkinson with a 2<sup>nd</sup> by Levi to approve the minutes from the previous meeting. Motion carried and the minutes were approved and signed.

Wilkinson made a motion with a 2<sup>nd</sup> by Bacon to sign the minutes of the Special Drainage Board Meeting held in the Surveyor’s office on April 15, 2019. Motion carried and the minutes were signed.

**GEISE/STEVENS COUNTY DRAIN**

The Surveyor started to read his report. Jerry Stevens interrupted and asked if this was being recorded. Wilkinson stated it is not required to be recorded but they do have a right to a transcript. Bacon used his cell phone to record the proceedings. Rees finished his report and presented maps and elevation shots. Rees stated that in his opinion it was not possible to take the water from both tiles to the east property line of the Stevens property. Geise attorney, George Lomeier addressed the Board suggesting they simply replace the existing tile since it worked before roots got into the tile. Leigh Morning reminded everyone that no studies have been done to prove that roots are the problem. Much discussion ensued over the best course of action to achieve their goal with minimal destruction to the Geise and Stevens properties. Desmond Stevens asked about the culvert depth. Rees spoke about several problems, depth of tile, Rush/Shelby power poles, and the close proximity to the Geise house. Des Stevens objected to Lomeier’s assessment and opinions. Wilkinson pointed out the fact that this is not a hearing and we are not here to discuss things that have already be decided upon. He further stated we are trying to work out a solution to the water issue. Rees stated he had met with Geise and provided maps for him. He will provide the same maps to the Stevens’. It was decided that the Surveyor will obtain depths of the current tiles provide a possible solution and an estimate as soon as is practical.

**ZACK SMALL OPEN**

The Surveyor presented a map and reported that minor maintenance has been done to the upper 1.5 miles of the drain. In doing this it was discovered that a private bridge is on the WENCS property and the cement bottom of the crossing is approximately 2’ above the grade of the drain. He showed photos of the crossings which showed water moving as it should and at this time it is not causing a problem. Ann Reddick and Donald Stoten, want to make sure that this issue is not forgotten and if it becomes a problem that something will be done to correct the situation. A.J. Fry stated that if it does create a problem he would consider removing the structure.

**CARR/STANLEY DRAIN**

Wilkinson gave a report about an attorney who has worked with the railroad and could possibly advise on how to negotiate with the railroad concerning right-of-ways. He provided Rees with a contact number.

**JAMES V HILLIGOSS TILE**

Allen Hurst addressed the Board stating there is an old tile which is causing a problem on his property. The Board informed him it is not a county drain and therefore has no jurisdiction.

There being no further business to come before the Board Levi made a motion to adjourn with a 2<sup>nd</sup> by Wilkinson. Motion carried and the meeting was adjourned.

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Mark Bacon

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Paul Wilkinson

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Bruce W. Levi