

**Synopsis of:
Tipton County Drainage Board:
Monday November 18, 2024, at 12:30 pm**

MEMBERS PRESENT: Tracey Powell, Dennis Henderson, Nancy Cline, Jason Henderson, Kristi Hinkle

OTHERS PRESENT: Joella Grant, Ellen Eldridge, Elaine Phelps, Steve Hartley, Tami Brown, Ruth Morgan, Alan & Linda Clark, Jeff & Sandy Landrum, Pat Comer, David Brown, Ryan Campbell, Carla Good, Joe Kelich, Tamera Tebbe, Joyce Cloud, Keith Leever

CALL MEETING TO ORDER: President Dennis Henderson called the meeting to order.

ESTABLISHMENT OF A QUORUM: QUORUM ESTABLISHED

MODIFICATIONS TO AGENDA: None

APPROVAL OF MINUTES: Commissioner Nancy Cline motioned to approve the October 21, 2024; meeting minutes as presented. Commissioner Tracey Powell 2nd the motion. Motion was approved.

SURVEYOR REPORT: Surveyor Henderson stated that there are six public hearings scheduled today, and they cannot start any earlier than the advertised time. Surveyor Henderson also noted that if anyone speaks during the public hearing comment that the board will take note. Surveyor Henderson said that when public hearing is closed that the board will have discussion and decide. Surveyor Henderson requested Secretary Hinkle to read her affirmation. Secretary Hinkle read the affirmation for the mailings.

BOARD BUSINESS/COMMENTS (OLD or NEW):

- A. Polywog Regulated Drain:** President Denny Henderson opened the public hearing for the Polywog Regulated drain. Surveyor Henderson presented an overview and history of the Polywog drain.

Surveyor Henderson stated: The Tipton County Drainage Board, having recognized the need for the increase in maintenance assessments for the *POLYWOG REGULATED DRAIN*, has referred the request to me for preparation of the report. I submit the following:

Historical data for the Drain:

- Petition for the Drain was in 1925 according to our records.
- The last Maintenance hearing was in 1997 (approved).
- The last Reconstruction hearing was in 1991 (approved).
- Current assessment is 2.00 an acre with a 10.00 minimum.

The annual maintenance fund is proposed to be increased for the continued maintenance of *POLYWOG REGULATED DRAIN*.

The proposed increase in maintenance assessment is to be \$5.00 per acre benefited for agricultural / residential, with a \$ 25.00 minimum; \$15.00 per acre benefited for Non-Agricultural and Non-residential with a \$50.00 minimum; \$8.00 per acre rate benefited for exempt tracts with a \$50.00 minimum. If raised to proposed assessment, the yearly assessment would total \$70,963.022. Collection to start in the calendar year 2025 and each year thereafter, with a maximum of 4 years of annual assessment to accrue before collection is halted. These funds are to be used for the continued maintenance of *POLYWOG REGULATED DRAIN*. Surveyor Henderson presented some pictures of work recently performed on the Polywog Drain. Surveyor Henderson also stated that the contractor had stated that the area was one of the worst areas in need of attention. Surveyor Henderson stated that there was one remonstrance letter. President Denny Henderson opened public comment for the Polywog: Doug Speer, Windfall, stated that he should be exempt from any kind of fees and that he is taking all the hurt with contractors coming in and out of his property working. Mr. Speer also stated that the clearing was supposed to be fifty feet and that he measured sixty feet in some places. Keith Leever, 76 S 800 E, stated that he doesn't have a drain on his property but pays into Polywog, Columbus, Jerry Alexander. Mr. Leever also stated that there are four properties next to his and he (Mr. Leever) should not have to pay anything unless the drainage board puts a drain in. Commissioner Nancy Cline motions to close public comment on the Polywog Drain. Commissioner Tracey Powell 2nd the motion. Public comment closed. Surveyor Henderson responded to Mr. Leever's issue and would meet with the landowners and the County Highway as well to come together with a solution. Surveyor Henderson also responded to Mr. Speers issue with that his property could be put into a classification for forestry woods. Commissioner Tracey Powell motioned to approve the proposed increase in assessment for the Polywog regulated drain. Commissioner Nancy Cline 2nd the motion. Motion was approved.

- B. **JA Davenport Regulated Drain:** President Denny Henderson opened public hearing for the JA Davenport regulated drain. Surveyor Henderson stated: The Tipton County Drainage Board, having recognized the need for the increase in maintenance assessments for the *JA DAVENPORT REGULATED DRAIN*, has referred the request to me for preparation of the report. I submit the following:

Historical data for the Drain:

Petition for construction of the Drain was created in 1904 according to records.

The last Maintenance hearing was in 1981 (approved).

The last Reconstruction hearing was in 2015 (approved).

Current assessment is \$1.25 an acre with a \$6.00 minimum, which creates a yearly assessment of \$1061.91

The drain currently has a negative balance of \$-78,816.01

Surveyor Henderson informed the board that the negative balance was from the reconstruction balance which was moved over to the JA Davenport balance. Surveyor Henderson stated that there was on remonstrance letter received. The annual maintenance fund is proposed to be increased for the continued maintenance of *JA DAVENPORT REGULATED DRAIN*.

The proposed increase in maintenance assessment is to be \$10.00 per acre benefited for agricultural / residential, with a \$ 50.00 minimum; \$15.00 per acre benefited for Non-Agricultural and Non-residential with a \$100.00 minimum; \$12.00 per acre rate benefited for exempt tracts with a \$75.00 minimum. If raised to proposed assessment, the yearly assessment would total \$20,207.05. Collection to start in the calendar year 2025 and each year thereafter, with a maximum of 8 years of annual assessment to accrue before collection is halted. These funds are to be used for the continued maintenance of *JA*

DAVENPORT REGULATED DRAIN. President Denny Henderson opened public comment for the JA Davenport Regulated Drain. Ryan Campbell stated that a few property owners front loaded the project and then there were problems through the woods that had to be taken care of with additional tiles and expenses. Mr. Campbell stated that the \$3.00 per acre would be tangible and that the stop collecting should be the four times the amount not eight times. Commissioner Nancy Cline motions to close public comment. Commissioner Tracey Powell 2nd the motion. Public comment closed. Surveyor Henderson responded to Mr. Campbell's issues in which that the increase is to pay back the negative balance from the reconstruction. Surveyor Henderson stated that there were issues, and that additional tile was laid separate with the board approval. Surveyor Henderson agreed with Campbell that it should be four times the amount instead of eight times the amount for shut off. Commissioner Nancy Cline motioned to approve the JA Davenport as presented with dropping to \$25 minimum and \$3.00 an acre after four years and the shut off would be the four times. Commissioner Tracey Powell 2nd the motion. Motion was approved.

C. Suburban Southfield Regulated Drain: President Denny Henderson opened public hearing for the Suburban Southfield regulated drain. Surveyor Henderson stated: The Tipton County Drainage Board, having recognized the need for the increase in maintenance assessments for the **SUBURBAN SOUTHFIELD REGULATED DRAIN**, has referred the request to me for preparation of the report. I submit the following:

Historical data for the Drain:

Petition for construction of the Drain was created in 2010 according to records.

The last Maintenance hearing was in 2010 (approved).

There has not been a Reconstruction hearing.

Current assessment is 4.00 an acre with a 25.00 minimum, which creates a yearly assessment of \$1,075.00

The drain currently has a negative balance of \$-19,201.73.

The annual maintenance fund is proposed to be increased for the continued maintenance of **SUBURBAN SOUTHFIELD REGULATED DRAIN**.

The proposed increase in maintenance assessment is to be \$8.00 per acre benefited for agricultural / residential, with a \$ 75.00 minimum; \$30.00 per acre benefited for Non-Agricultural and Non-residential with a \$100.00 minimum; \$16.00 per acre rate benefited for exempt tracts with a \$75.00 minimum. If raised to proposed assessment, the yearly assessment would total \$3,150.00. Collection to start in the calendar year 2025 and each year thereafter, with a maximum of 4 years of annual assessment to accrue before collection is halted. These funds are to be used for the continued maintenance of **SUBURBAN SOUTHFIELD REGULATED DRAIN**. Surveyor Henderson stated that there were no remonstrances. Surveyor Henderson stated that there was work done recently because of trees on the drain causing properties to almost be in septic failure. President Denny Henderson opened public comment. None. Commissioner Tracey Powell motioned to close public comment. Commissioner Nancy Cline 2nd the motion. Public comment closed. Commissioner Tracey Powell motioned to approve the Suburban Southfield regulated drain increase assessment. Commissioner Nancy Cline 2nd the motion. Motion was approved.

D. Joshua Cottingham Regulated Drain: President Denny Henderson opened public hearing for Joshua Cottingham regulated drain. Surveyor Henderson stated: The Tipton County Drainage Board, having recognized the need for the increase in maintenance

assessments for the *JOSHUA COTTINGHAM REGULATED DRAIN*, has referred the request to me for preparation of the report. I submit the following:

Historical data for the Drain:

Petition for construction of the Drain was created in 1905 according to records.

The last Maintenance hearing was in 1995 (approved).

The last Reconstruction hearing was in 1995 (approved).

Current assessment is \$1.50 an acre with a \$5.00 minimum, which creates a yearly assessment of \$3,090.22.

The drain currently has a negative balance of \$-394.92

The annual maintenance fund is proposed to be increased for the continued maintenance of *JOSHUA COTTINGHAM REGULATED DRAIN*.

The proposed increase in maintenance assessment is to be \$5.00 per acre benefited for agricultural / residential, with a \$ 25.00 minimum; \$15.00 per acre benefited for Non-Agricultural and Non-residential with a \$50.00 minimum; \$8.00 per acre rate benefited for exempt tracts with a \$50.00 minimum. If raised to proposed assessment, the yearly assessment would total \$10,682.25. Collection to start in the calendar year 2025 and each year thereafter, with a maximum of 4 years of annual assessment to accrue before collection is halted. These funds are to be used for the continued maintenance of *JOSHUA COTTINGHAM REGULATED DRAIN*. President Denny Henderson opened public comment on the Joshua Cottingham regulated drain. None. Commissioner Nancy Cline motioned to close public comment. Commissioner Tracey Powell 2nd the motion. Public comment closed. Commissioner Nancy Cline had asked surveyor Henderson about the eight years versus four years shut off. Surveyor Henderson responded that as long as work is being done on the drain the maintenance assessment would not be shut off. Surveyor Henderson stated that in the written findings that all the drains would say the four years for shut off. Commissioner Tracey Powell motioned to approve the Surveyors findings on the Joshua Cottingham with changing it to four times instead of eight times. Commissioner Nancy Cline 2nd the motion. Motion was approved

- E. **JM Gustin Regulated Drain:** President Denny Henderson opened public hearing for JM Gustin regulated drain. Surveyor Henderson stated: **FOR THE INCREASE IN MAINTENANCE ASSESSMENTS FOR THE *JM GUSTIN REGULATED DRAIN*.**

The Tipton County Drainage Board, having recognized the need for the increase in maintenance assessments for the *JM GUSTIN REGULATED DRAIN*, has referred the request to me for preparation of the report. I submit the following:

Historical data for the Drain:

Petition for construction of the Drain was created in 1899 according to records.

The last Maintenance hearing was in 1981 (approved).

The last Reconstruction hearing was in 1977 (approved).

Current assessment is \$2.00 an acre with a \$5.00 minimum, which creates a yearly assessment of \$505.04

The drain currently has a negative balance of \$-3,035.52

The annual maintenance fund is proposed to be increased for the continued maintenance of *JM GUSTIN REGULATED DRAIN*.

The proposed increase in maintenance assessment is to be \$5.00 per acre benefited for agricultural / residential, with a \$ 25.00 minimum; \$15.00 per acre benefited for Non-

Agricultural and Non-residential with a \$50.00 minimum; \$8.00 per acre rate benefited for exempt tracts with a \$50.00 minimum. If raised to proposed assessment, the yearly assessment would total \$1,275.10. Collection to start in the calendar year 2025 and each year thereafter, with a maximum of 4 years of annual assessment to accrue before collection is halted. These funds are to be used for the continued maintenance of *JM GUSTIN REGULATED DRAIN*. Surveyor Henderson stated that there were no remonstrances. President Denny Henderson opened public comment on the JM Gustin regulated drain. None. Commissioner Tracey Powell motioned to close public comment. Commissioner Nancy Cline 2nd the motion. Public comment closed. Commissioner Nancy Cline motioned to approve the proposed increase on the JM Gustin regulated drain. Commissioner Tracey Powell 2nd the motion. Motion was approved.

- F. **Kigin Open:** President Denny Henderson opened public hearing for the Kigin drain. Surveyor Henderson stated: The Tipton County Drainage Board, having recognized the need for the increase in maintenance assessments for the *KIGIN OPEN REGULATED DRAIN*, has referred the request to me for preparation of the report. I submit the following:

Historical data for the Drain:

Petition for construction of the Drain was created in 1880 according to records.

The last Maintenance hearing was in 1999 (approved).

The last Reconstruction hearing was in 1999 (approved).

Current assessment is 2.00 an acre with a 10.00 minimum, which creates a yearly assessment of \$4,985.85

The drain currently has a positive balance of \$4,985.85

The annual maintenance fund is proposed to be increased for the continued maintenance of *KIGIN OPEN REGULATED DRAIN*.

The proposed increase in maintenance assessment is to be \$5.00 per acre benefited for agricultural / residential, with a \$ 25.00 minimum; \$15.00 per acre benefited for Non-Agricultural and Non-residential with a \$100.00 minimum; \$8.00 per acre rate benefited for exempt tracts with a \$50.00 minimum. If raised to proposed assessment, the yearly assessment would total \$21,895.00. Collection to start in the calendar year 2025 and each year thereafter, with a maximum of 4 years of annual assessment to accrue before collection is halted. These funds are to be used for the continued maintenance of *KIGIN OPEN REGULATED DRAIN*. Denny Henderson opened public comment for Kigin Open regulated drain. None. Commissioner Nancy Cline motioned to close public comment. Commissioner Tracey Powell 2nd the motion. Public comment closed. Commissioner Tracey Powell motioned to accept the increase in maintenance assessment for the Kigin Open regulated drain. Commissioner Nancy Cline 2nd the motion. Motion was approved.

- G. **Wendy Falls Subdivision-Scott Weddell:** Elaine Phelps stated that the Wendy Falls Subdivision is a two-lot subdivision. Surveyor Henderson stated that it is a minor lot subdivision which is well drained and recommend approving the Wendy Falls Subdivision. Commissioner Nancy Cline motioned to approve the Wendy Falls Subdivision. Commissioner Tracey Powell 2nd the motion. Motion was approved.

CLAIMS: Secretary Hinkle presented the claims in the amount of \$155,370.19.

Commissioner Tracey Powell motioned to approve the claims as presented. Commissioner Nancy Cline 2nd the motion. The motion was approved.

REMINDER: Next Meeting is Monday, December 30, 2024, at 12:30 pm at the Tipton County Courthouse.

Surveyor Henderson reminded the board that the Richman Doversberger was still in progress for discussion on front loading the reconstruction with some property owners. Commissioner Nancy Cline thanked Surveyor Henderson and his staff for all the work to put the hearings all together. President Denny Henderson agreed with Commissioner Cline.

ADJOURNMENT: Commissioner Tracey Powell motioned to adjourn the meeting. Commissioner Nancy Cline 2nd the motion. The meeting was adjourned.

TIPTON COUNTY DRAINAGE BOARD:

DENNIS HENDERSON

NANCY CLINE

TRACEY POWELL

ATTEST: KRISTI HINKLE

The above minutes were approved at a regular meeting of the Tipton County Drainage Board. The signatures were intentionally omitted to preserve privacy. Signed copies are available in the Tipton County Surveyor's Office, 1st floor of the Tipton County Courthouse.