

**MARSHALL COUNTY DRAINAGE BOARD**  
**REGULAR MEETING**

The Marshall County Drainage Board met for a regular meeting on January 16, 2024, at 8:30am in the Commissioner’s Room of the Marshall County Building, 112 W Jefferson St. Plymouth, IN. Board members present were: Kevin Overmyer, President; Michael Burroughs, Vice President; Stanley Klotz, Board Member; David Stults, Citizen Board Member. Also present were Craig Cultice, County Surveyor; James Clevenger, Board Attorney; Angie Kibbe, Drainage Board Secretary. The meeting was opened in due form and the following business was considered. The Drainage Board meeting is streaming live and is available for live view at: [www.co.marshall.in.us](http://www.co.marshall.in.us).

**REORGANIZATION OF THE BOARD MEMBERS**

**Mr. Klotz moved, second by Mr. Stults, to maintain the same appointments, Mr. Overmyer as President of Marshall County Drainage Board and Mr. Burroughs as Vice President of Marshall County Drainage Board. Motion carried 5-0.**

**APPOINTMENT OF DRAINAGE BOARD ATTORNEY**

**Mr. Stults moved, second by Mr. Burroughs, to reappoint Mr. Clevenger as Marshall County Drainage Board Attorney. Motion carried 5-0.**

**APPOINTMENT OF DRAINAGE BOARD SECRETARY**

**Mr. Stults moved, second by Mr. Burroughs, to reappoint Mrs. Kibbe as Marshall County Drainage Board Secretary. Motion carried 5-0.**

**2024 JOINT DRAINAGE BOARDS APPOINTMENTS**

**Mr. Klotz moved, second by Mr. Stults, to retain the same joint appointments as 2023. Motion carried 5-0. The appointments for 2024 joint boards are as follows; House Ditch, Mr. Klotz and Mr. Burroughs; Zechiel-Chapman Ditch, Mr. Overmyer; Robbins 4 County, Mr. Burroughs; G. Wilson Ditch, Mr. Stults and Mr. Overmyer; S Sechrist Ditch, Mr. Burrough and Mr. Stults; Yellow River, Mr. Overmyer. The appointments to The Kankakee River Basin and The Yellow River Basin Commission are made by the Marshall Count Board of Commissioners. The appointments are for a four-year term from July 1, 2021, through June 30, 2025. Mr. Cultice shall serve on the Commission, Mr. Overmyer shall serve on the Technical Advisory Committee.**

**MAINTENANCE BIDS**

**B.F. MATTINGLY DITCH & ARM**

**Allsop Excavating- \$29,750.00**

**Ingram Excavating- \$11,000.00**

**Mr. Klotz motion, second by Mr. Stults to accept the bid by Ingram Excavating in the amount of \$11,000.00. Motion passed 5-0.**

**DANIEL SAVAGE DITCH**

**Allsop Excavating- \$35,750.00**

**Ingram Excavating- \$17,440.00**

**Mr. Klotz motion, second by Mr. Burroughs to accept the bid by Ingram Excavating in the amount of \$17,440.00. Motion passed 5-0.**

**J. BALLINGER/MYERS ASSESSMENTS**

Mr. Cultice supplied an updated Surveyor's Report on the J. Ballinger-Myers Watershed assessments. The Town of Argos has 776± acres and per agreement in 1984 with the Drainage Board the acres are multiplied by two and assessed at \$1.75. The last public hearing established a rate that was a 25% increase in 2017. Maintenance expenditures in the last 10 years totaled \$509,491.00±. The projected/estimated average yearly maintenance cost is \$50,000-\$60,000.00. Mr. Cultice provided handouts with pricing of other watersheds that have commercial pricing along with estimated assessments per acre at different price points for the J. Ballinger/Myers. Merl Hayne of 14942 Maple Rd Argos, IN, came before the board to let them know the effects of the J. Ballinger/Myers drain is having on his farmlands. He states he is happy with the work Mr. Cultice does with the drains and with the little budget with which he is working with. Mr. Hayn has done work in the ditch himself to help stop water from collecting on his lands. Mr. Hayne feels the Town of Argos should be contributing more towards the watershed funds. When it rains in Argos, he notices his grounds flood more due to the runoff from the town. He also adds that the brush and grasses are getting harder to kill and maintain in the ditches. Mr. Burroughs suggests the assessments should be raised at least \$2.75. Mr. Stults states he feels \$3.00 should be established to catch up and to have some equity in the fund. With the records showing \$50,000.00 a year in maintenance, it will take a few years to build up. **Mr. Klotz motion, seconded by Mr. Stults to advertise the assessment at \$3.00 an acre for the J. Ballinger/Myers Watershed and to have a public hearing at the April 15, 2024, Drainage Board meeting. Motion passed 5-0.**

**2024 REVIEW OF DITCH MAINTENANCE ASSESSMENT**

Mr. Cultice presented the board with assessment report with his recommendation of the ditches that should be activated and not to be activated for collection in 2024. The ditches that are recommended not to be activated have sufficient fund balances per state statute. The remaining ditches that have funds balance below the statute shall be on collection in 2024. Mr. Cultice suggests to the board that with the new tax software the Surveyor's office has the ability to turn on and off collections for these ditches, the

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Surveyor's office can take on that responsibility. **Mr. Burroughs motion, seconded by Mr. Stults to accept the recommendation for the 2024 active and non-active collection maintenance assessments per surveyor's report and to allow Surveyor's office to turn collections on and off from their office. Motion passed 5-0.**

#### MAINTENANCE CONTRACTS

The board members sign the December 18, 2023, maintenance contract for the Craig Unsicker Ditch.

#### MINUTES

**Mr. Klotz motion, seconded by Mr. Burroughs to accept the minutes from December 18, 2023. Motion passed 5-0.**

#### OTHER BUSINESS

Mr. Overmyer brought attention to the board that the DNR has scheduled a time to use the commissioner room to have a public hearing on the Lake of the Woods conservancy district on January 31, 2024, from 1pm-4pm.

#### PUBLIC COMMENT

Kenneth Jones Jr. with JRP at 325 S. Lafayette Blvd South Bend, IN comes before the board on behalf of the Town of Bourbon. He gives the board member maps of the water waste treatment facility and their lagoons that they have on the west side of their parcel that drains into the Metheny Ditch. They are having problems with regulatory issues with IDEM, with particular regard to their NPDES discharge permit because their discharge permits allow them to discharge at a rate that's equal to 1/10<sup>th</sup> of the flow of the ditch. The flow rate of the ditch dramatically changes during the course of any given calendar year. Mr. Jones states that the ditch is full of some kind of grass, and it slows the ditch down to the point where it does not move. The town is wondering if this section of the ditch could be cleaned on a more regular maintenance schedule like every 2-3 years. Mr. Jones relays that the town is willing to partner up with the drainage board in some way to help cover the cost. Mr. Burroughs wondering if the Town of Bourbon got some estimates on cleaning the ditch and brought it before the board that would be at start. Mr. Cultice responded a cost share with the town would be great, cleaning the ditch every two years is not typically something they do. The ditch does not have the funds to support something like that so working with the town would be beneficial. Mr. Cultice will investigate the ditch and review watershed funding for future projects.

**ADJOURNMENT**

With no further business to come before the board, **Mr. Burroughs motions, second by Mr. Stults to adjourn at 9:05a.m. Motion carried 5-0.**

MARSHALL COUNTY DRAINAGE BOARD

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Kevin Overmyer, President

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Michael Burroughs, Vice-President

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Stanley Klotz, Board Member

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David Stults, Board Member

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Randy Glinge, Board Member

Attest: \_\_\_\_\_

Angie Kibbe, Drainage Board Secretary